The Journal

of the

November 2003
Volume 5 Number 1

30th Anniversary Conference

Celebrating 30 Years of Ombudsing:
Making our Practice Fit the Times

November 9-12, 2003

Asilomar Conference Center
800 Asilomar Conference Center
Pacific Grove, California 03050

The 2003 special anniversary edition of
The Journal
is dedicated to our esteemed founders

Don Hartsock 1969-1991*

William "Bill" Schatz 1968-1991*

Geoffrey Wallace 1970-2004*

*Tenure as ombuds

CALIFORNIA CAUCUS OF COLLEGE AND UNIVERSITY OMBUDS

Celebrating 30 Years of Ombudsing:
Making our Practice Fit the Times

Asilomar Conference Center, Pacific Grove, California
November 9-12, 2003

30th ANNUAL CONFERENCE PLANNERS

CONVENERS:

Troy Brooks, Brock University
Misa Kelly, University of California Santa Barbara
Gary Insley, Camosun College

REGISTRAR:

Lewis A. Redding, Jet Propulsion Laboratory

CONFERENCE PLANNING COMMITTEE:

Andrea Briggs, University of California, Riverside
Troy Brooks, Brock University
Suzanne Chappellett, California State University, San Diego
Kathleen Dickson, University of California, Berkeley
Gary Insley, Camosun College
Janis Schonauer, CalTech
Marcia Kellam, Lawrence Livermore National Laboratory
Savander Parker, San Jose State University
Misa Kelly, University of California, Santa Barbara
Lois Price Spratlen, University of Washington
Lewis Redding, Jet Propulsion Laboratory
Geoffrey Wallace, University of California, Santa Barbara

The Awards Committee

Michael Chennault, Chair
University of California, Irvine

Kathleen Dickson
University of California, Berkeley

Carmen Jevons*
Stanford University

St. S. Saffold*
San Jose State University

Ron Wilson*
University of California, Irvine

The Awards Committee is composed of five ombuds, three of whom are emeriti and two are practicing ombuds. This combination links those who worked with and are familiar with the contributions of our founders and those whose tenure in the caucus is more recent.

This committee established a new award, the "Pioneer Award," to acknowledge the significant contributions that our founders made to ombudsing through the conceptualization and founding of Cal Caucus.

Nominations and recommendations are received and reviewed annually for the Ombuds of the Year Award and the Service Excellence Award.

*emeriti ombuds

The Journal 2003
of the
CALIFORNIA CAUCUS OF COLLEGE AND UNIVERSITY OMBUDS

Contents

Prefatory information:

30th Annual Conference title and dedication	iii
30th Annual Conference theme and planners	v
Awards Committee statement	vii
Co-editors and Managing Editor	xi
Editorial	xiii
Editorial Board	xv
2002 Ombuds of the Year Award	xvii
CCCUO Mission Statement	xix
Cal Caucus: The Word, The Organization, The Legacy	xxi
30th Anniversary Scroll	xxiii
Profiles of Founders	xxv
Abstracts of articles in this issue	xli

Articles:

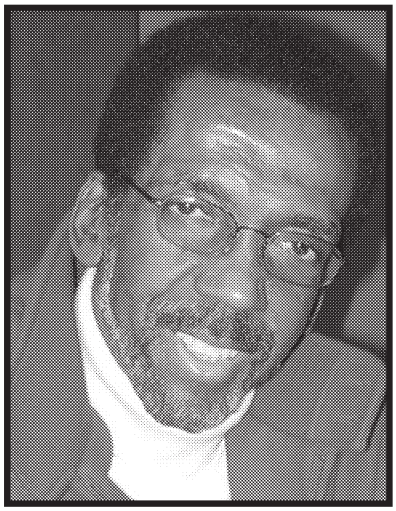
Susan Neff	*Creating Real Ombuds through History and Institutionalization*	1
Martine Conway	*Resisting the Ways of the Hero – An Ombuds Story*	11
Marthanne Robson	*Getting Started--Using Your Internal Resources*	17
Lon Moeller	*Trying to Get Oil From a Waterspout: Identifying Sources of Conflict and Interests in Faculty Disputes*	23
Andrea Briggs and Linda Wilcox	*University and College Ombuds Association and The Ombudsman Association Collaboration Update*	29
Katherine K. Ziff	*Book Review:* Bridging Troubled Waters: Conflict Resolution from the Heart	35

Editor's Notice:

Publishing Notes	37

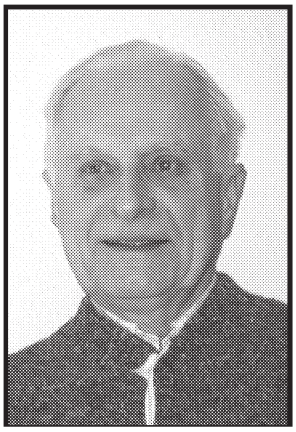
CO-EDITORS

Lois Price Spratlen became an active participant in the California Caucus of College and University Ombuds (CCCUO) in 1988. She has served as Convener of the Annual Asilomar Conference and on three occasions as Co-convener. She has served as a member of the Awards Committee and as chair for four years. In 1998, under her leadership, *The Journal* of CCCUO was established as the first and only peer-reviewed journal in the field of ombudsing. Lois serves as Co-editor of this journal with Executive Vice Chancellor Ron Wilson.



Ron Wilson is Assistant Executive Vice Chancellor and Director for the Office of Equal Opportunity and Diversity, U. California Irvine. His responsibilities include the Ombudsman Office, Faculty and Staff Assistance Program, and Campus Mediation Program. A 23-year administrator and a 20-year ombuds, he came to UCI as campus ombuds and Associate Dean of Students from UC Riverside, where he had served as Director of Student Affirmative Action. He is past president of the University and College Ombuds Association and is founder and Co-editor of *The Journal*.

MANAGING EDITOR



Eugene Smith retired in 1989 from a teaching career that began as an elementary school teacher and ended as Associate Professor Emeritus of English, University of Washington. But he hasn't really retired. He has always been intensely interested in reading, writing, and language study, an interest that has led him to continue writing his own books and editing other people's books, articles, dissertations, and journals. Currently, he lives with his wife in eastern Oregon, where he is director of the Union County, Oregon History Project--a coordinated effort to collect oral histories of long-time county residents and to produce a community encyclopedia--and Adjunct Associate Professor in History at Eastern Oregon University. The History Project has a new Website at <www.ucohp.org>.

CAL CAUCUS AT 30:
WE REALLY HAVE SOMETHING TO TALK ABOUT

Editorial

Ron Wilson
Assistant Executive Vice Chancellor, Emeritus, University of California, Irvine
CCCUO Alumnus and Co-Editor, *The Journal*

On November 9-12, 2003, the California Caucus of College and University Ombuds hosted its annual meeting at the Asilomar Conference Center in Pacific Grove, California. We assembled at the same site where 30 years earlier our Caucus was founded.

A Sunday evening banquet served to commemorate the 30th Anniversary of the Caucus. One of our three founders, Don Hartsock, accompanied by his wife Jo, was in attendance. Cecil Castilow, former administrative assistant to our founder, William "Bill" Schatz, was present. Bill sent his regrets and fond memories to the group. He was unable to attend due to health challenges. Our third founder, Geoffrey Wallace, attended the conference on Monday. On behalf of the Caucus I had the honor of presenting beautiful crystal Pioneer Awards to each of our founders. In my remarks I stated, "We really have something to talk about!"

It is fitting to acknowledge the wisdom, insight, and vision that our founders exhibited in creating this Caucus. They consciously chose a caucus rather than a more formal organization with members, where elected officers and dues were needed to manage the affairs of the organization. Each of our founders wanted to avoid a hierarchical organization. They came together because they had something to talk about. They desired to know what each ombuds was doing on their respective campuses to give substance and meaning to the role of campus ombuds. They took time to share and to get to know each other.

A caucus is a council of equals. These founders wanted to hear what everyone had to say, what they were thinking, feeling, and experiencing at their respective campuses. They also assembled to listen, learn, and bond with one another so that they would continue to have something to talk about when they returned to their campuses and began responding to requests for help from members of their campus communities. During this three-day event we heard professional presentations by ombuds and other professionals from Canada and the United States. Don, with the able assistance of Jo, made a formal presentation, which was a significant contribution to discussions throughout the entire conference. The traditional Tuesday caucus time was available for each ombuds to decide with whom and where one could choose to talk and bond with others. Most of all we celebrated and complemented ourselves for continuing our 30-year tradition of having something to talk about.

Based on our history, the salient purposes of the CCCUO Annual Conference are to exchange information related to specific laws; to review current policies; to present new ideas; to find creative solutions; and to give our colleagues "something to talk about." These objectives are achieved because our annual meetings center on sharing the wisdom and experience of the diverse participants. These goals are met because our annual meetings promote fellowship; respect for different opinions; and pride in the individual styles used to fulfill our unique responsibilities.

Cal Caucus has changed somewhat with time. In 1988 with the assistance of Ms. Shirley Crawford we established *The Journal*. I wanted to preserve for posterity the topics that ombuds talked about at our meetings and at times before or after we met. In 1990 we took advantage of the Internet to expand access to these articles. They remain available on-line at <http://www.ombuds.uci.edu/asilomar.html>.

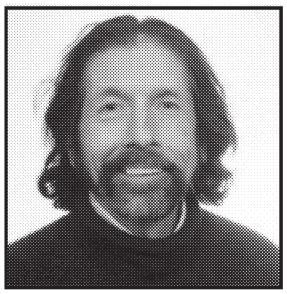
In 1998 under the leadership of Dr. Lois Price Spratlen we established a peer-reviewed journal. We have Editorial Board members from campuses across the United States. Our managing editor holds each author's article to a standard that will make them proud to have their names attached. *The Journal* and our Caucus will continue to exist as long as new and established ombuds come together to talk and write about topics of importance to ombudsing.

This 30th Anniversary celebration of Cal Caucus served to highlight the importance of talk that translates to actions and services to others. Our founders--Don Hartsock, William "Bill" Schatz, and Geoffrey Wallace --envisioned an approach to ombudsing that is enshrined in informality, which requires participants to volunteer to use their own ingenuity and vision to keep Cal Caucus going.

Let us continue to have something about ombudsing to talk and write about.

EDITORIAL BOARD

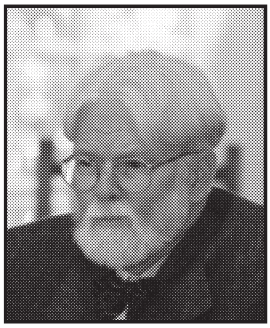
Allen W. Church is an adjunct professor at Wayland Baptist University in Plainview TX, where he is a lecturer in undergraduate & graduate business ethics. A graduate with Honors from St. Mary's University Law School and Southern Methodist University Graduate School of Law, he is a faculty member for the National Institute of Trial Advocacy and the Insurance Institute of America. His lecture series, "Harvesting Settlements," for legal and insurance professionals has received high praise. He is a contract ombuds and active in The Ombudsman Association and the California Caucus of College and University Ombuds.



Arnold Medvene was the Faculty Ombuds Officer at the University of Maryland from 1994-1999. He is a senior staff psychologist at the Counseling Center (U.M.) and an associate professor in the College of Education, where he works with undergraduate and graduate students, as well as staff, faculty, and administrators in conflict management. As a board member of the Washington, D.C. Center for Life Enhancement, he will provide workshops in dispute resolution for organizations interested in facilitating staff development and personal growth.

Barbara Schaffer has been the Director of the Sexual Harassment Policy Office at DePaul University, Chicago, IL since 1994 and a faculty member of the English Department since 1991. She also teaches in the Women's Studies Program.

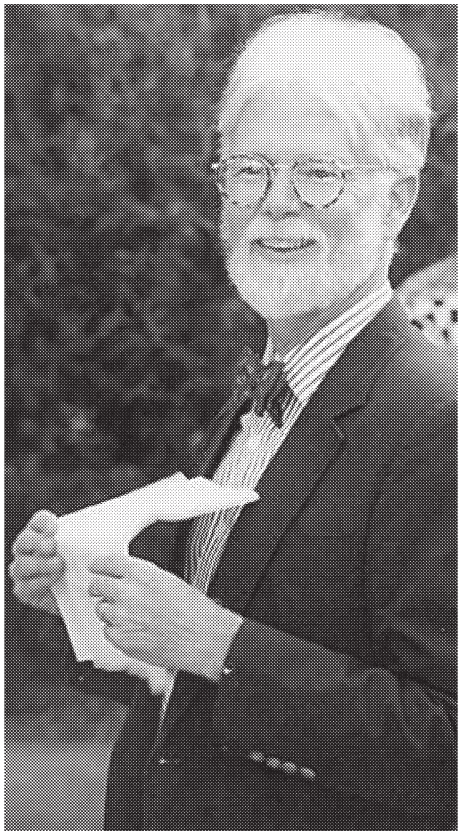
Tom Sebok has been an ombuds since 1990 and the Director of the Ombuds Office at the University of Colorado at Boulder since 1992. From 1995-99, he was Secretary for the Board of the University and College Ombuds Association. He serves on the editorial board for a professional journal dedicated to ombuds practice. He has published seven articles in *The Journal of the California Caucus of College and University Ombuds* and has made numerous presentations at regional and national conferences related to conflict management and ombudsing.



Geoffrey Wallace Ph.D. has been University Ombudsman since the enabling legislation, the charter, was passed by the Academic Senate of UCSB (with concurrence by students and adminisration) on 22 October 1970. He is director emeritus of the Stanley Anderson Program and Library which includes 1300 articles and books on Ombudsmen.

Professor Lincoln joined the faculty of UMass Lowell in 1977, the first full-time member of the new Criminal Justice program. Having earned earned master's degrees in psychology and sociology and his doctorate in sociology, he completed a Postdoctoral National Institute of Health program in Family Violence and also held a Fulbright Professorship in The Netherlands. He is the author of numerous articles and three books on crime and violence and a former journal editor of *Library and Archival Security*. Currently he serves on the Institutional Review Board for human subject research and as the University Ombuds.

2002 Ombuds of the Year Award



Geoffrey Wallace

The Ombud of the Year Award is the highest award given by Cal Caucus. Since its founding in 1990, this award has been given six previous times. As the seventh recipient, Geoffrey was recognized for his cumulative contributions to Cal Caucus. In particular, in recent years, Geoffrey has established the Stanley Anderson Library of all of this renowned scholar's writings. Stanley is a Scandinavian area specialist. His interest in law and society coalesced in a 15 year study of the ombuds institution.

Geoffrey brought into being a collaborative model of ombudsing, one which included outreach to all members of the University community, students, staff, faculty, and administrators. He also promoted dialogues and organizational strategies among community groups, the law and justice community representatives and social welfare agents to expand effectiveness in achieving social change, social action and conflict resolution.

The Journal
of the
CALIFORNIA CAUCUS OF COLLEGE AND UNIVERSITY OMBUDS

Mission Statement

We are committed to publishing the highest quality of scholarly and professional articles submitted for publication. We will publish articles by and about ombuds that provide insights into and understanding of our institutional role, practice, and contributions. Manuscripts and materials submitted will be peer-reviewed. We use a collaborative approach to publishing, in which prospective authors receive constructive critiques from reviewers in an effort to increase quality of the content of *The Journal*. Our main purpose is to enhance understanding of the art and practice of ombudsing.

Cal Caucus: The Word, The Organization, The Legacy

Lois Price Spratlen

Caucus is a word of uncertain origin. Some writers believe the word existed long before the time of writing. It is generally accepted that Algonkin Indians had the word CAU-CAU-AS-U, which they used to mean elders or counselors. Some believe that the word *caucus* evolved from the activities of caulkers, workers at turn-of-the-century Boston shipbuilding yards, who met to discuss working conditions and to plan actions on their behalf.

The first written account of the word *caucus* appeared in the 1763 diary of John Adams, when he mentioned a discussion group in Boston called the Caucus Club. One of the organizers of the Boston Tea Party belonged to that club. Further, the word *caucus* or *caucas* was used during the 18th century to refer to political parties, where people assembled to hear public matters and arrangements were made for local elections. (source: Internet Phrase Finder)

In recent times partisan groups within political parties have formed to advance a specific agenda--Republican caucuses, Democratic caucuses, and the Congressional Black Caucus, to name three.

Caucus is used in the California Caucus of College and University Ombuds name most accurately refers to a group of people who assembled "to promote an agreed upon cause" (source: Merriam Webster's New Collegiate Dictionary 1995, p. 182). According to our founders, the combined meanings elders/counselors" and "a group of people united or caucusing to promote an agreed upon cause: capture the essence of their purpose for meeting together as a group that later became Cal Caucus.

During the late 1960s and early 1970s, Don Hartsock, William "Bill" Schatz, and Geoffrey Wallace began communicating with one another. As newly appointed ombuds at their respective campuses, they established a bond of trust and began meeting at convenient locations to caucus. At that time, even the word *ombudsman* was foreign to many members of the academic community. Since those who understood the word had a limited understanding of the functions a campus ombuds performed, these new ombuds caucused to share experiences and to learn with and from one another.

In 1973, when Cal Caucus was formally established, these three ombuds were eager to have ombuds from many other institutions or organizations join them at Asilomar to promote understanding of ombudsing.

During the formative years of the Caucus, the term *ombudsman* was used, but at a 1990s business meeting of the Caucus, which was attended by the Co-editors, participants agreed to change from *ombudsman* to *ombuds* in all future communications about Cal Caucus; they noted that *ombudsman* reflected a male bias. (In a 1986 Scandinavian dictionary this term is defined as an agent. Source: Leiren, Terje (1997) personal communication).

Many ombuds who attended early meetings of Cal Caucus recall the very informal nature of the meetings, with a fair amount of drinking, smoking, and card-playing; yet within the context of these social activities, serious discussions about the nature of ombudsing occurred. Spontaneous small groups formed to discussed a wide range of subjects. Some participants were comfortable with the informal culture; others were less so.

During the formative years, we have not distributed printed programs; we began in 1986 to distribute programs and evaluation forms. Invited speakers have usually been there to share their expertise; in between these presentations, participants met to caucus, exchanging details about how they went about ombudsing. Fortunately, the group was small enough then that every participant who desired to do so met nearly every other participant. For several ombuds these early relationships have grown stronger over the years. The basic principles practiced at that time gave continuity and coherence to Cal Caucus.

Among the guidelines we have followed since the beginning of CCCUO are:

- Decision making by consensus
- Non-hierarchical in structure
- Participant driven

- No members
- No dues
- Annual conference.

The informaity of the Caucus made it seem natural to use a consensus model of decision making whenever significant topics or subjects arose. We decided according to the opinion of the largest number of participants present--a very democratic way to make important decisions. For over 30 years, this process has served CCCUO well.

A formal organizational structure, with a president or vice president, has never seemed necessary. Anyone who desires to assume a leadership role in CCCUO can generally do so. The absence of a hierarchy makes it possible for anyone to be a leader for a certain period.

Always participant driven, we have been joined by ombuds from different parts of the country and the world, who have shared ideas, energy, and interests. For well over a decade CCCUO was the ombuds association with which most academic ombuds affiliated. Beyond the United States ombuds came from Canada, New Zealand, Puerto Rico, and Australia, to name four countries. Their presence brought an energy that affected the entire group of attendees.

Ombuds who attended CCCUO conferences regularly did not raise the subject of members or dues. The culture is so well understood by attendees that there seemed to be no need to broach such topics.

During the past several years there have been some significant changes:

- establishment in 1987 of *The Journal*, edited for the first decade by Ron Wilson and Shirley Crawford and publishing articles that formed the foundation of understanding for many new ombuds;

- establishment in 1986 of awards, also by Ron Wilson, for participants where contributions are deemed by a committee of their peers to be worthy of recognition (The service-excellence award recognizes contributions made through organizational role(s) fulfillment, i.e., convener or registrar. The ombuds-of-the-year award has traditionally gone to someone who has made contributions to the literature on ombudsing and has also served as convener of conferences.);

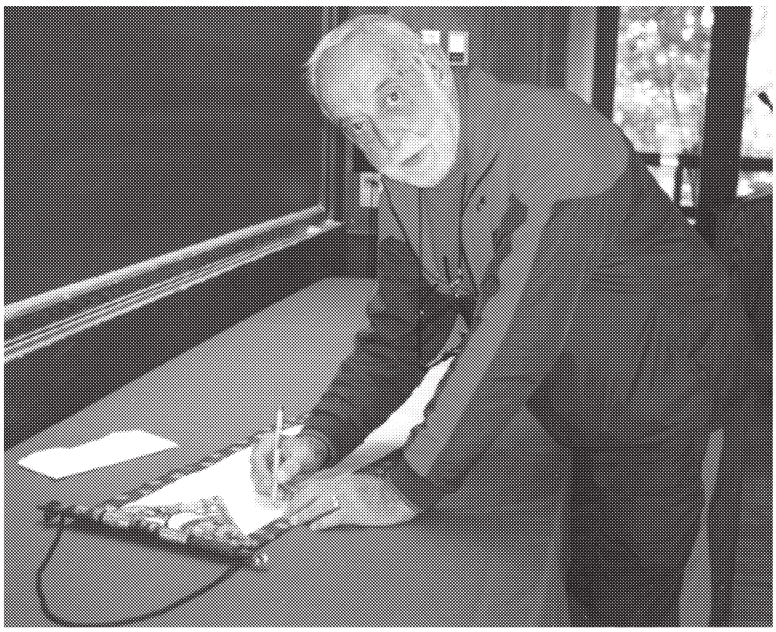
- Lois Price Spratlen's volunteering in 1998 to co-edit *The Journal* with Ron;

- establishment of an Editorial Board, bringing into being CCCUO's first peer-reviewed journal (Any ombuds may serve as a member of the Board, and volunteers are welcome.).

But one thing has not changed: our need for volunteers--who have always been forthcoming--to fill roles essential to the continuation of CCCUO: conference co-conveners and conference registrar.
We want CCCUO to continue its original tradition as the most open and readily available organization for support for all ombuds. Participants can usually find a place to use their talents, interests, and experiences. This organization really belongs to everyone who chooses to participate.

At this 30th Anniversary of CCCUO, the changes have only strengthened the core values and principles of this organization of elders and counselors assembled for a defined cause.

30th Anniversary Scroll



This scroll was created to commemorate our 30th Anniversary as a professional organization. Each ombuds and others who attended this conference signed their names on the inner area of the scroll and the year that they first attended a Cal Caucus Conference. Since the scroll serves as a tangible representation of this important organizational milestone, it is fitting that one of our founders, Don Hartsock (above), was the first person to sign it.

OUR DISTINGUISHED COFOUNDERS:

DON HARTSOCK
WILLIAM "BILL" SCHATZ
GEOFFREY WALLACE

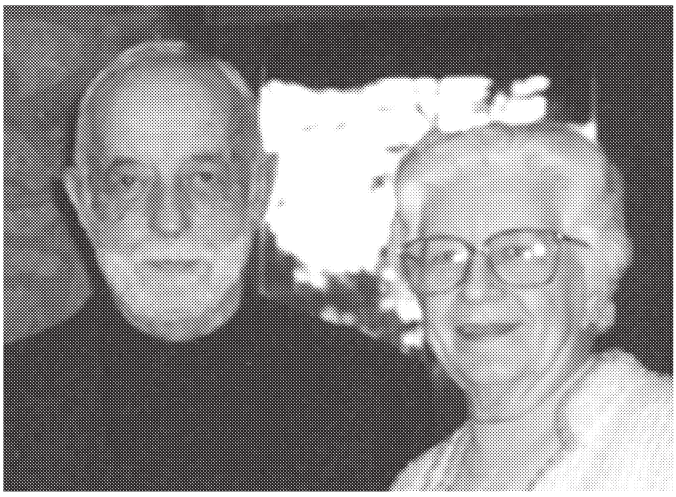
The three essays that follow are intended to profile each of our cofounders--their early family life, educational backgrounds, work experiences, and professional activities that preceded their becoming members of college and university communities. I have tried in each essay to highlight major sources of influence, encouragement, and inspiration that accompanied their journey to campus ombudsing.

My principal source of information was tape recorded, telephone interviews with each man, augmented by face-to-face conversation with Don Hartsock and his wife, Jo, both of whom attended the 30th-Anniversary Conference.

I give special thanks to Ms. Larkin Hood, a University of Washington graduate student research assistant in the ombuds' office, who transcribed the interviews. Louise Davis, Office Assistant, prepared all the photographs for publication in this journal.

Lois Price Spratlen
Co-editor, *The Journal*
December, 2003

Don Hartsock's Journey to Campus Ombudsing



Don Hartsock didn't have a long-range plan to be an ombuds, but he had many experiences during his adolescent years, in the Navy, and at college that contributed productively to that career path.

Born in Lewistown, Pennsylvania, the oldest of three children, he spent the first 17 years of his life there. He has remained close to his brother, Terry, born when Don was a senior in high school, and his sister, Nina, though he only really got to know his siblings well when he returned home from 12 months in the Navy.

As a child he attended public schools and, because of the importance of the Presbyterian Church for his family, he regularly went to Sunday School. He says he performed "reasonably well" in both environments.

During early adolescence, Don's father emphasized the contributions the Presbyterian Church made to his family, saying, "The Presbyterian Church helped our family at a time when we needed it most. My father, your grandfather, died at an early age. He left nine children who needed to be cared for. The church helped by finding a Presbyterian orphanage in Philadelphia for your two aunts to enter. Three of your uncles were supported by the Hershey Corporation. They were given jobs on the Hershey Farms and later were given the opportunity to attend college. (The remaining three children were able to make it on their own.) These arrangements were made in a very low-keyed manner by officers of the church. Church officials helped my dad assume a central role in his family when it was important for him to do so."

With this story etched in his memory, Don has had a lifelong affiliation with the Presbyterian Church; it has played a significant role in his relationships, leading to his deciding to become a minister and thereby giving back to the source that helped him and his family. However, he admits that he was really something of a hellion during early adolescence--never a gang member but getting into a few fights before he settled down.

Among his early entrepreneurial efforts were cutting people's grass and shining shoes, both of which taught him the importance of work and of doing the best job he could to get personal satisfaction. During the Depression and World War II, he worked as a holiday mail carrier, becoming more self-aware and cherishing his relationship to others in his community. These work experiences helped him learn how to communicate better with adults at school, church, and in the community. They also helped him, he now knows, to see how work, humor, respect, and cooperation connected in his realizing the true value of human relationships.

Participation on high school football and basketball teams never made him a star, but he learned how to work with others to achieve specific goals; that knowledge has served him well throughout his life.

While participating in Sunday School,he caught the attention of his Sunday School teachers, one of whom demonstrated unusual respect for and interest in Don's development. This teacher, along with his knowledge of how the church had helped his father's family, added motivation for his seriously considering the ministry as a profession.

Early Adulthood

After completing high school credit requirements, he and several of his high school buddies joined the United States Navy. Always fascinated with water, he enlisted rather than wait to be drafted. (This fascination with water continued in some 30 years of scuba diving.) When he shipped out of boat camp, half

of the company was of Irish or Italian origin. He learned a great deal from his shipmates--particularly what was right for him and what he would reject, based on his internalized religious teaching.

Navy orders sent him to California and Seattle before a posting in the Aleutian Islands, where he became an air controller. After 12 months, he was honorably discharged and returned to his home in Pennsylvania to make plans for entering college (Waynesburg College in Waynesburg, Pennsylvania), become acquainted with his siblings, and renew his respect and affection for his father and mother. For most of his life his father worked as a supervisor at the Rayon (Viscoe) factory in Lewistown, providing a stable, focused life that had enabled Don to have a very happy childhood.

He left home serious about the importance of getting a good education, taking advantage of his partial football scholarship and the GI Bill. The professors soon learned that he and most other former servicemen were serious students. Excited by the quality of his instruction, he decided to complete a double major in English and history, like many of his peers.

Marriage and Seminary

He was also excited, while at Waynesburg, by meeting the love of his life, Jo Wilson. They were married in 1949 and continued their education until Jo completed a master's degree in music and Don completed a bachelor's degree. In their conversations about his interest in becoming a minister, he found that Jo was completely supportive; soon they joined a group of students to visit Princeton Theological Seminary. John Mackay, President of Princeton Seminary, during an informal meeting with these students, stated that he did not believe that seminarians should be married. Don immediately spoke up, saying that he had no intention of divorcing his wife. After that exchange, both Don and Jo saw that Princeton Seminary was not the place for them.

Shortly thereafter, Don decided that the McCormick Theological Seminary in Chicago was the one he should enter. He applied and was accepted, but, when the Korean War began, feeling that it was his duty to serve his country once again, he entered the Naval Reserve and served at the Naval Air Station in Pensacola. During this tour of duty, he was exposed to a form of racism that caused him to confront power with action.

He said, "We were traveling to our post in Pensacola, Florida. There were about six or eight of us traveling by train in what was referred to as a 'draft.' When we reached the Kentucky border a sheriff entered and ordered the two black sailors who were with us to go to the colored car of the train." Don and the other sailors said they would go to the colored car, too. The sheriff pulled out his .38 and ordered the white sailors to remain where they were. This experience so troubled Don and his white companions that they reported it when they reached their post--but never heard anything in response.

This experience has stayed with him over the years, helping him understand why he emphasizes the social aspect of his ministry; he believes that he must help to achieve institutional change by promoting social justice, civil rights, and personal responsibility.

Ministries

Following discharge from the Naval Reserve and completing his first year in seminary, three successive Presbyterian congregations asked him to serve as a pastor. Remington, Indiana, his first post, was a small community, where he was spiritual leader, with elders, deacons, and his own secretary. The church provided housing for Jo and their son, Michael, and allowed Don to spend four days in Chicago at the seminary and three days in Indiana.

While there, he confronted racism again and did not back away. "I invited a colleague of mine from seminary who happened to be black to come preach at our church. Remington had sundown laws stating that blacks were not supposed to remain in town overnight. My friend came and word got out before Sunday that I had invited a black man to preach. I did nothing but prepare to have the congregation hear the sermon on Sunday. One of the elders in the church took it upon himself to let the word out that this minister was mulatto. My colleague preached and there were no negative incidents." Don learned through this experience that one must take risks if one wants to promote change and social justice.

During the summer he supplemented their income by working with farmers, baling hay and detasseling corn--physical work that helped him increase his appreciation for those who worked the land for a living.

After three years at this church, he was invited to serve as Assistant Pastor in South Bend and then at DePauw University in Greencastle, Indiana. While serving in the Greencastle Presbyterian Church, he and Jo were asked to lead a delegation of students to work in a refugee facility in Austria, following the Hungarian Revolution, to serve as ambassadors of goodwill.

Each of these church experiences developed his leadership skills and enhanced his self-confidence and sense of professional direction.

Higher Education and the Peace Corps

In 1959, as campus minister at UCLA, he loved working with all members of the university community: faculty, administrators, and students. After six years in this role, he went on sabbatical leave, but, instead of leaving the campus, he became Associate Dean of Student Activities and refined his interpersonal and social skills and gained a deeper understanding of the policies and procedures that guided decision-making on the campus.

Then came the Vietnam War and an invitation to join the Peace Corps. That precipitated a family decision, which was to accept the invitation. Of the four possible locations, he chose Micronesia, but by then Don and Jo were the parents of five children: Michael, Vicki Jo, Stephen Andrew, Mark Timothy, and Jenny. They went together so that he could become Deputy Director of Peace Corps/Micronesia, responsible for staff and programs. In one of those programs the staff was reported as being responsible for causing conflict between the local residents and the United States Marines in Palau. As he recounted, "The Peace Corps lawyers were asked by the legislature to draft legislation which prevented the chiefs from allowing the Marines to sign a long-term lease agreement to use their island. A Marine officer reported to President Nixon that this legislation had been adopted, and without consultation with us in the field, the lawyers' program was discontinued. My director was fired and I resigned in protest. I agreed to remain on the island for one month until a replacement was appointed. After I resigned, within 12 hours I received a radio telephone call from the Vice Chancellor at UCLA, Rosemary Park, who offered me a position as campus ombuds."

Campus Ombuds

This official offer had been preceded by a request from Rosalio Munoz, UCLA's student-body president, to consider applying for the ombuds position.

"When I was initially contacted, I didn't know what the word meant or how to spell it. I took some time to find out its meaning and sent back a response that was flippant--like Charlie Brown needed an ombudsman to deal with Lucy. Later I realized that this was serious and I needed to give it the attention it deserved."

With help from a friend about housing for the family in Los Angeles, the Hartsock family, minus Michael who remained in Micronesia, returned to California, feeling positive and broadened by the Peace Corps experience.

When Don became UCLA ombuds in 1969, his first task was to negotiate his reporting relationship directly with the chancellor. With that matter accomplished, he explored his role--like the court jester, asking questions and telling stories to enable people to change.

Student unrest and protest were common features then of California campuses--Berkeley, Cal State, Santa Barbara, and others--and student protesters were killed at Kent State University and Jackson State College. Since ombuds were expected to help bring calm to the campus by working directly with students to quell these demonstrations, Don tried to establish trusting relationships with each student group, especially those most vocal in their protest--The Black Panthers, The Black Student Union, Students for a Democratic Society, and the Chicana and Chicano student group MECHA. The demands associated with this effort required him and other ombuds to work long hours, as they concentrated on working through institutional barriers that had frustrated students and that seemed to be interfering with the institutions' educational mission.

Founding of CCCUO

When the campuses had calmed somewhat, Don turned his attention to reaching out to ombuds at other California universities, aiming to learn how they defined their ombuds' responsibilities. These meetings at various campuses--Cal State-LA, Berkeley, Santa Barbara, Riverside, and UC-Irvine--lasted from the late 1960s until 1972, when Bill Schatz proposed that they move their meetings to Asilomar. In 1973 Bill, Don, and Geoffrey Wallace founded Cal Caucus, as they informally called it. Of the three men, Don is credited as the most vocal and insistent that the organization be a caucus, a gathering of professionals but not a professional guild. It took little persuasion to get the other founders to accept the notion of a caucus.

At the beginning, Cal Caucus had fewer than a dozen participants, who communicated often. As ombuds were appointed at other California colleges and universities, the number of caucus participants grew. Planning and attending these meetings was a labor of love for him; he especially enjoyed talking with and listening to other ombuds, who were eager to share experiences and ideas. Most of all, he is pleased to see that ombuds from near and far continue to come voluntarily to Cal Caucus. Frankly, he had not expected the Caucus to last as long as it has. Now he hopes it will continue for another 30+ years.

Defining and Enacting the Ombuds' Role

Defining his concept of an academic campus ombuds role has been a continuous effort. He sees the ombuds as independent of other campus organizations, yet requiring tireless work with students, staff, faculty, and community residents' organizations to establish open communications. Annual meetings with the chancellor were necessary for reporting ombuds' activities and to reaffirm the chancellor's confidence in this work. These meetings between Don and Chancellor Young occurred each spring for 22 years and at other times as needed.

"My greatest satisfaction came when I helped someone or did a deed with which my name was not associated. Once when Martin Luther King visited UCLA's campus, students took up a freewill offering in the center of the campus. We all knew of the fact that no university funds could be used to support King's work. A student activist, Joel Siegel, who went on to become the film critic on *Good Morning America*, took the initiative to collect a freewill offering on the campus. When he finished, I used my motorcycle to take Joel and the money to the location where King was speaking. There are more ways than one to skin a cat."

Reflecting more broadly, he said, "Campus ombuds came into being because of student protests and disruptive dissent. Of course it was necessary for faculty and administration to collaborate to bring this position into being. But students led this movement.

"During my tenure I devoted a good deal of my time to working with the student groups to try and anticipate incidents that frustrated students to the point that they acted out against the entire institution rather than focusing on the specific slight or problem that prompted their anger or frustration.

"I looked for patterns of behavior or recurring situations that called for redress. Students were invited and encouraged to join me in this quest for understanding. My goal was always to work for understanding and to develop recommendations to address the problems or concerns at the institutional and individual levels. Often we needed to modify policies and to nurture people.

"The term *reasonableness* is used much too glibly but it is very important that such responses to grievances be considered reasonable ones to the aggrieved party.

"Being accessible, responsive, and available to receive students and others who requested services and working to understand their needs for help are some of the most important attributes that ombuds can possess."

Semi-retirement from Ombudsing

With regard to his decision to leave ombudsing, he quipped, "I was not burnt out; I was worn out. There just was not much between me and the road. I needed to leave before being carried out. The university wanted to save money. They approved an early retirement package that I decided to take. Jo, who worked in the UCLA Dental School, decided to retire the same day that I did. Jo remains the love of my life.

"I started teaching a seminar course in cross-cultural-conflict negotiation because I want others to

learn how to be helpful to different people, no matter who they are. As always, Jo is right there helping me by inviting students to our home for informal meals and conversations. Throughout the quarter Jo sends cookies to the students, and at the end of the course we meet to have a meal together in a restaurant.

"This is a 10-week course that I've taught every fall. Since the 1990's I've had at least 20 students enrolled each quarter. Jo and I look forward to teaching this course, and I will continue to do so as long as we are all interested in doing it."

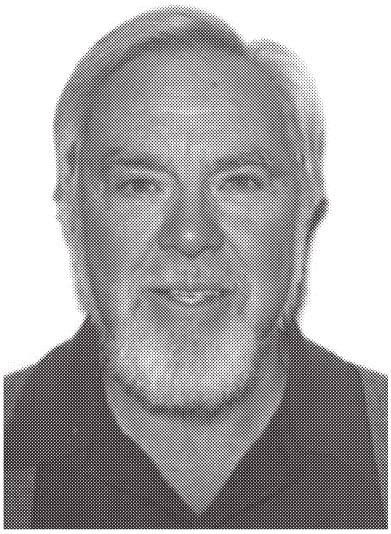
Though officially retired, he feels that he's still an ombuds. The difference is that he gets to decide when he will act and how he will help someone carry out the action. As long he is alive and well, he will be available to learn, talk, share, and help others. This is what ombudsing is really about.

William "Bill" Schatz's Campus Ombudsing--Learning While Serving Others

From childhood, William Karl Schatz's mother, his Sunday School teachers, and neighbors in Evansville, Indiana called him Bill. That nickname has felt right to him ever since.

Growing Up

Before Bill was four years old, his father died. During and after several later conversations with his mother, he recalls spending a good deal of time thinking about death.



He and his mother remained in the same home for nearly two years and then moved in with his maternal grandmother and his mother's oldest sister, where he felt a deep sense of love from these women. "For the first ten years of life I lived in a home with all women. This did not hurt me a bit. I enjoyed a normal childhood. At my grandmother's house my bedroom was just over the kitchen. With a register in the floor warming my room, I could lie in bed and hear the conversations that the adults had each evening. It was then that I learned a lot about what was going on with Mother and my aunt since they often talked about what happened at work." (His mother and aunt worked outside the home.)

After his father's death, his mother had told him she had been laid off from work. Through the register, he later overheard his mother saying, "He fired me because I wouldn't let him touch me. He thinks that all widows are needy and that I am too." Bill fully understood what his mother was talking about, but he never said anything to anyone about what he heard, sensing the difficulty women had in the work place.

He remembered the first time he saw his mother really angry. As the administrative assistant to the boss of a state employment agency, she often oriented newly appointed male directors. He overheard her say to her sister, "If they think I am going to orient another man for this job when I know I could do it better than he, they're wrong." Nevertheless, she did

orient a new boss and some months later found herself feeling sorry for him because other employees in the company were giving him a really hard time. Later she told him that she could see that "the higher up the person rose in the company the more butt he exposed for someone to kick." The young Bill absorbed the truth that bosses are not all bad, and neither are most other people, but those who are mean can certainly make work unpleasant for a lot of others.

For many years life in Evansville was as predictable as night following day. From kindergarten through high school Bill attended public school and enjoyed it. "I was the fair-haired one. My teachers really liked me, and wherever they saw me they talked with me. In high school I played football and did well in my courses. Two teachers really captured my attention. My literature teacher interpreted the stories that we read, and she could recall more things to say about the story than I ever recalled reading. My economics teacher enlightened me about the relationship between theory and action. I never forgot his description of the theory of diminishing returns. This was so clear and easy to understand that it stuck, and I was able to generalize other big pictures to specific events.

"I ended up being a B student, but I was not always one. Academics are something you do to get through school. It's in the other activities where you make friends and get along."

He played football in high school and enjoyed being a member of the team. "When I was in school there wasn't a lot of emphasis placed on how long one played during each game. The emphasis was on being a member of the team."

At high school reunions, he's found that former members of the football team have the most stories, and they are not all stories about winning the

game. Many stories are about the coach and how he got people to do what he said.

Church and Sunday School were as regular a part of family life as school; he was there every Sunday, along with his mother and stepfather. During ninth and 10th grades, he completed confirmation classes and was president of his youth group. He loved that role. "I got to plan field trips and other programs that were lots of fun." A student minister, Mel Ludwig, who was completing seminary training, befriended him. His association with Mel influenced his decision to go into the ministry.

Naval Service and College

As a high school graduate, he entered the Naval Reserve and went on a four-month cruise via San Diego, San Francisco, and Seattle to Point Barrow, Alaska. As an older man, he recalled several incidents that contained lessons in life.

"The first day I was aboard ship I was useless. Finally, a petty officer told me to sit at a particular place until he returned to get me. I did as I was told. When the officer returned and found me in the very same spot where he left me, he seemed surprised that I had not gotten up for lunch. I later laughed at my naivete. I thought I was being an obedient sailor."

A while later, still aboard ship, he received two telegrams--one stating that he had been admitted to Elmhurst College in Illinois; the other, a few weeks later, notifying him that he could take exams for Annapolis. Since these were not ordinary events in sailors' lives, he was interested in others' reactions. Some told him he was very lucky. Others asked, "Who do you know to get such a chance?" Regardless of how they felt, most of these young men treated him with respect.

After the four-month cruise, he returned to Evansville to visit his mother and stepfather, Al, and to find out that it was Al who had suggested to his boss that he recommend Bill for Annapolis. Both parents were delighted that he had had a good experience at sea and wanted him to pursue this opportunity to enter the Naval Academy.

Instead of taking the exams immediately, he decided to enter Elmhurst College. His youth minister, Mel Ludwig, drove him from Evansville to Elmhurst, Illinois, talking en route, of course. The kindness, decency, and sense of joy that Mel seemed to derive from this work convinced Bill that this was the field for him, especially as he recalled his earlier experiences as a youth-group leader. He concluded that he should seriously consider entering the ministry.

During his first college year, he spent most of his free time studying to take the Annapolis examinations, knowing that, if he failed any of the tests, he would not be admitted. At the same time, he worked for a retired admiral, doing housework, tending bar, and observing the admiral's buddies. They talked about things like politics, race, and women--almost uniformly agreeing in their views. Bill vigorously disagreed. He wondered if he really wanted to have a career in the Navy.

When he took the exams, the first three were no trouble at all. Before the trigonometry exam, he spent the night in the Episcopal chapel, meditating about whether he really wanted to enter the Navy. About 2:00 a.m, the answer came to him: he did not want a life in the Navy. He failed the trig exam, and that ended the matter for him.

His parents were disappointed but stuck by him. Wondering sometimes if he'd made the right decision, he became certain after a few weeks that it was. While still at Elmhurst, he was accepted at Eden Theological Seminary in Webster Groves, Missouri. After he completed a degree in philosophy and married his college sweetheart, Mary Reutinger, who completed a degree in education, they left Elmhurst and settled in Webster Groves.

Seminary Training and a Pastorate

His years in the seminary confirmed the appropriateness of his choice of a profession, as he integrated experiences from childhood with later understandings and came to see a minister's roles as servant, prophet, and pastor. Mel Ludwig's ministry became his model for activities he wanted youth in the church to engage in. He had shown how to provide moral and emotional support, when to act, and when to allow action to evolve. Bill considered himself well prepared educationally, emotionally, and spiritually to serve as minister of a church.

The opportunity for such service came during his seminary intern year. In 1957, following his

ordination, with Mel Ludwig in attendance, Bill's pastorate call came from Torrance, California. Being the minister at the Torrance Church was the equivalent of a baptism by fire. "I replaced a minister who left because the challenges of serving this congregation were too difficult. I was so young and new that I did not really know exactly what to expect." It turned out to be a good experience. Currently, his niece is the interterm pastor of this congregation, soon to celebrate its 50th anniversary. He hopes to attend.

His pastorate at the Torrance church enabled him to refine and redefine the meaning of service to others, and it polished his skills of negotiation, compromise, and communication. He learned how to lose and recover from a loss in a dignified and generous way, and he knew when it was time to serve as the minister of another church. After five years, he went to Simi Valley United Church of Christ and remained there for four years before accepting the call to serve as campus minister at Los Angeles State College, which is now California State University Los Angeles (Cal State LA). "I went to Cal State one year after the Watts Riots. As an urban campus, it was one of the most diverse in Southern California--the kind of campus I wanted to serve. At that time I had a firm conviction that, if there was hope for people to learn to live together, Cal State (then LA State) was a great place to start. I still hold the conviction that part of the mission of higher education is to foster diverse individuals to learn to live productively together."

An Academic Ministry that Led to Ombudsing

The call to serve aa a campus minister increased his vigor, commitment to integrity, and feeling of anticipation--a challenge that gave him joy, even as students throughout the country were demonstrating, dissenting, and interrupting classes frequently. He knew his ability to establish trusting and productive relationships with students would be put to a severe test. Yet he felt up to the challenge. He found students to be curious, interested in learning, and in need of something to believe.

Before the end of the second year, he was well known by many members of the university community, having acceded to requests for his involvement in many non-religious activities. His respect for the members of the university community and theirs for him grew rapidly.

In 1968 John Greenlee, president of Cal State LA., visited him--an unusual thing for a president to do. He said, "California State University presidents have been given a new position: campus ombuds. Would you consider taking it?" One of the reasons that lay behind the offer, Bill thought, was that he had constructive relationships with the Black Student Union, MECHA (the Chicano/Chicana student group), and Students for a Democratic Society. They negotiated for a month or so. Before accepting, he called a meeting with the three student groups that were most vocal and posed the greatest challenges to the administration at that time. "I told them what I'd been offered. We had a long conversation, peppered with comments like 'You're selling out; you're going to the other side.' I told them that, if I ever lied to them, I would resign the position. 'There will be some things I won't be able to discuss with you, but, if I ever lied to you, that would be the end of our trust relationship.' They bought in, and I was there for 20 years."

Being campus ombuds meant learning on the job for him and for most other ombuds at that time. Seeing the ombuds role as an opportunity to grow was an orientation that served him well for the entire 20 years.

Relationships with Don Hartsock and Geoffrey Wallace

"I knew Don as a campus minister at UCLA. We were scuba diving buddies from way back. We'd sometimes go scuba diving when we attended Cal Caucus in Asilomar." He said, "A group of us get together every so often. Come on over."

He met Geoffrey at one of the local gatherings of ombuds between 1969 and 1972, just before Cal Caucus was founded. His first meeting with the group that would become known as Cal Caucus took place at UCLA. "It was really informal and must have been between '68 and '69. In 1970 I got a notice that the American Arbitration Association was planning a meeting in Washington, D.C. for university ombudsmen. I went and met ombudsmen from all over the country. About 20 or 30 of us went through a rather specific training program.

"I went back to the gang in California and said,

'We've got to do this.' So we arranged to go to Asilomar and the AAA helped fund by sending their trainers. The group was large enough to divide ourselves up by student, faculty, administrators, and community. We had TV cameras set up all over the facility where we role-played a campus crisis. We came together to negotiate and then went back to caucus--just as though it was a real-life campus crisis. I remembered this as the first time we went to Asilomar and the first time we hammered out problems together." The AAA program had gotten them started professionally.

Cal Caucus Established

With this start at Asilomar Conference Center in 1973, Bill, Don, and Geoffrey had to work hard to keep Cal Caucus going. Bill asked Cecil Costilow, his former administrative assistant, to be the Caucus's first registrar. "I'd volunteer to be the convener and then turn to Cecil, saying, 'We'll be the convener, won't we?'" He got out the mailings and organized rooms and roommates during the first decade.

The group's association with AAA was short-lived because the ombuds wanted to decide their own agenda. "We decided that there needed to be two major foci in our training in the Caucus program. When we came together, we wanted something that would nourish the individual ombuds and something that developed us professionally."

He recalled the first five conferences vividly: "The next year we brought in two psychologists who were experts in transactional analysis learning to truly appreciate personal differences. We also brought in a sociologist from Berkeley to teach us clues to identify the specific culture of each campus. In other words, there was no reason to believe that UCLA should look like Cal State or that Santa Barbara should look like the U. of W. We learned a lot of techniques for reading the peculiarities of our campus or any campus we went to.

"One year we thought we were all involved in stories, so we brought in an author--an English professor/novelist. Several times during the day we'd have him stop and reflect on what he was seeing happening from his artistic point of view."

The Caucus continued to evolve to two meetings each year--one in November at Asilomar and the other in April, rotated from campus to campus. This pattern of meetings has continued for the past 30 years.

Beginning in the mid 1970s, Ron Wilson attended a Cal Caucus meeting. "Ron brought an administrative background to this group. He had been a dean of students and came with an interest in having more structure than we'd previously had. Of course, that was all right with us."

In 1980 someone suggested that ombuds from outside of California be invited to Asilomar. Cecil found a list of ombuds and mailed out notices. This was the year when the question was. "Should we remain a caucus, or should we become a more formal organization, with bylaws and the rest?" Bill led the discussion about why it should continue to be a caucus, a discussion that continued through the 1980s and 90s as participants from Canada and throughout the United States continued to come to Asilomar to learn with and from one another. "The Caucus is really the people who come with their energy, ideas and desires. Most of all it's the sharing that goes on."

Reflections

After his retirement from ombudsing in 1991, he reflected on his principal accomplishments. "Cal State LA was probably among the first colleges to have a student bill of rights. Once this document was approved, it was sent around the country to other institutions. Two faculty members in political science helped me draft the document. Founding Cal Caucus with Don and Geoffrey was the other thing."

He has also concluded that ombudsing is "a lifestyle, not a profession," an assertion he supports by saying that he still acts like an ombuds when he negotiates with a grocery store or Bank of America about a problem. He feels that he will always be an ombuds.

But he has recently had cause to speak perhaps more forcefully about health matters. On May 15, 2003, with no previous symptoms, he had a pain in his abdomen His physician diagnosed cancer of the colon and recommended surgery. With surgery now behind him, he gets chemotherapy at Stanford Hospital about every two weeks. Since his diagnosis, two of his friends have had colonoscopy examinations

and have been diagnosed with cancer. "One was first stage, and the second friend was at a second stage with cancer." Both are doing well now due to early diagnosis. He strongly advises fellow ombuds to pay attention: "Fellow ombuds, listen up!"

He enjoys each day with his wife, Judi Grutter, in renewed and thoughtful appreciation for life. For as long as he's here, he will continue to be the minister whose lifestyle is ombudsing.

Geoffrey Wallace's Lessons about Ombudsing: Learn What's Essential and Do What You Think is Right

A native of Los Angeles, Geoffrey Wallace has spent most of his years in California, living in several communities. The oldest of three children, he, Diane, and Guy grew up with a mother who was principally a homemaker and a father who worked at many jobs--from working in his father's bank to doing whatever jobs he could get on the ranch, though his training was in engineering. He also worked for many years at the Lockheed Airplane Corporation.

Geoffrey remembers living in a quonset hut project--"a very dilapidated quonset hut where there were 1200 families to 600 huts. We were crowded together because there were codes, covenants, and restrictions that kept black, brown and poor white people out of other areas and crowded in this project. This was called the Roger Young Village. It was located where Griffith Park or Gene Autry Museum is located now." Geoffrey lived there with his family until he was in about third grade.

"My father was as poor as those who were being discriminated against on the basis of race. In other words, it's the plight of the class barrier joined with the race barrier."

The school in this project was as dilapidated as the residential quonset huts were, and, while the teachers were kind, he did not learn much. "By third grade I still could not read. All the kids with me had nearly the same experience."

His mother contracted polio and was sent first to Los Angeles for treatment and later to Glendale, about 45 minutes from their home in Pacoima. "My father followed his job and lived in Sunnyvale, about 350 miles from our home. Eventually my parents were divorced. I was the man of the house and thought that I was up to managing my sister and brother. Neighbors regularly came in to check on us. A Presbyterian minister, Pastor Aaron Powers, brought money for groceries and other things that we needed. He really taught me how to be a father. An elementary school teacher, Ms. Cirino, really took an interest in me too and watched out for me for a long time." It was during this period that Geoffrey really learned what were essential things that he needed to do and what were appropriate behaviors for him.

At about age 12, he began delivering the *Los Angeles Times* at 5:30 a.m. and also swimming in the morning, meeting other students. "These students had nice clothes; they were very different from me but I adapted. My sister, brother, and I were odd--like feral children."

By the ninth grade, "My mother returned home from the sanitarium. Then my family did exactly what has been done by previous generations. Anyone who can afford to feed a child gets one because somebody else has one they can't afford to feed. I went to live with an uncle and I was placed in a mentally gifted minor program in Northridge. This was an upper middle class community." Once again he did not feel that he had much in common with these kids, but he learned what was important about getting along and made the adjustment.

By grade 10, he returned to his mother's house, but there just were not enough resources for him to remain there. He returned to his uncle's home and, after one day, left and hitchhiked from Northridge to Santa Clara, California. He showed up on his father's doorstep with his belongings in a pillowcase. His father made room for him so that he could remain there until he graduated from high school and departed for college.

As a member of the swim team, he arrived at school at 6:30 a.m. and remained there until 6:30 p.m., when his father picked him up after work. He did this throughout high school, where he had one or two friends and kept busy with athletics and academics. He graduated from high school in 1960.

College Studies and Social Activism

High school counseling had helped him decide that he wanted to study anthropology and philosophy. Working at about 50 jobs during and after high school--ranging from cooking and digging ditches to heavy construction--also helped sharpen his focus. He graduated from high school in 1960 and was accepted at the University of California Santa Barbara, where he completed a bachelor's degree in 1967. Having been active in county affairs during his undergraduate years, he went directly into a master's program in sociology (completing it in 1975) and then to the doctoral program in social psychology (1982).

His student years were, of course, punctuated by regular protests and demonstrations against the war, for civil rights, and against university bureaucracies. He was fully involved in these activities, seeking to negotiate for a win-win result for all parties in the conflicts, namely, Non-Recognizance Program; Human Services Commission of Santa Barbara; Buying Club; Santa Barbara Legal Defense Fund; and New Free University.

He worked with Jim Duerr to bring into existence the Non-Recognizance Program, which was designed to reduce the number of student demonstrators who were arrested and booked into jail. Rather than clog up the jails, they were to be trusted to return to court as directed for judgment. This program was adopted by the Justice Department and institutionalized by the appointment of a parole officer to oversee its administration.

The Human Service Commission of Santa Barbara managed county funds to support 1275 nonprofit organizations. Geoffrey's section of the commission awarded funds to about 75 agencies that provided health-related services, food, and shelter. He especially enjoyed this work because it directly affected the quality of life for residents and some students in Santa Barbara.

The Buying Club was a strategy for promoting entrepreneurship among farmers and artisans. It became a co-op in Isla Vista.

The Legal Defense Fund acquired funds to provide legal services to the low income residents of Santa Barbara. He worked there with Alan Schlosser and Stephen Imhoff, who became well-known lawyers.

The New Free University, in the University Center, was a grass-roots effort to provide free academic courses and other informational presentations to community residents. He prepared the catalogue for this "university," which still offers some of these courses in civil rights and ethics.

Ombudsing

His first experience as ombuds was for the Isla Vista Community Council. As their community ombuds, he was chief negotiator for the United Front, which had instigated many demonstrations and riots. The second riot ended with fatalities. Community members, students, staff, and administrators observed him "working on my feet. I walked among these diverse community groups to negotiate. I also negotiated with the director of emergency services and the governor. I have received three or four community commendations for service." He was named volunteer of the year and has received the Getman Award for helping students.

On October 21, 1970 the Faculty Senate authorized an ombuds office at UCSB. Then began a long selection process that required the winning candidate to receive a consensus vote by the Faculty Senate, student organization, and administration. Geoffrey was selected from a field of 187. The interviewing process, he said, was challenging. Though he had learned about ombudsing from Stanley Anderson, when he was asked to define *ombudsman*, he cited the work of John Moore, who was on the committee, with these characteristics: independent, impartial, accessible, enabling, term-limited, and removable for cause. Assuring Moore that he was not attempting to flatter him, he said that, when he read the characteristics in his book, their aptness was evident. Answering the ensuing questions with ease, he knew that he was doing well.

Among his priorities for accomplishment before his first year in office ended was to learn the name of and some information about every faculty member on campus. He toured UCSB campus, learning the names and locations of all services. And though he knew he had strong student support, he wanted to take

nothing for granted; he therefore visited most of the student organizations and invited members to become familiar with ombuds services. In short, he used every reasonable method to become known to the campus community.

He also developed programs of education, consultation, and dispute resolution, drawing upon his study several years before at the Center for the Study of Democratic Institutions. While Robert Maynard Hutchins was president, Frank Kelly was vice president; Geoffrey knew Kelly always had time for him. He also put in place a mediation program and the Community Conciliation Council.

Cal Caucus

When ombuds matters were well under way, he responded favorably to an invitation from Don Hartsock to attend an informal meeting of ombuds at UCLA. In those first conversations, he knew that "Don had life experiences and so did Schatz. Don listened to Shriver [first director of the Peace Corps], who encouraged people to take time away from their jobs for the Peace Corps. Don did that in Saipan and in Micronesia. He also edited a book on ethics, which is now out of print. He told me about the word *caucus*, which he thought was either Iroquois or Algonquin. He talked about something special that happened when everybody who came together was at the same level; they couldn't mystify each other, they couldn't one-up, and they didn't have power over others. He did not quote Eric Fromm, but I later found in Fromm's book that Don and Fromm had thought about two kinds of power: 'power-over' and 'power-to.' Power-over manipulates; power-to facilitates. Don said, 'We're all about power-to, which is also integrative--where everybody gets more. Everybody can be as good as they can be and everyone can fill up their plates."

After meetings in San Francisco, the group decided that Asilomar was the best place for Cal Caucus to meet. In between conferences, Don, Bill, and Geoffrey met in restaurants and talked about definnitions, opportunities, and what was gratifying about being ombuds--all aimed at getting a renewed sense of purpose. "In the end we agreed with Don that we needed to keep this precious climate because the minute that we had a boss, we would get bossed. We had to have a place to keep this thing [Caucus] alive. If we have to go to the catacombs, we'll go."

As new people entered the Caucus, some wanted more than informal talks. Ron Wilson, when he first attended Cal Caucus, "let it be known from the beginning that he wanted a little more structure than we had at that time. He set about working to capture and preserve for posterity the conversations that took place on an informal basis. Eventually this led to the Cal Caucus *Journal*.

"It was a struggle there for a while because people had been in vertical organizations, which had boards, committees, privileges, and roles. There are ways the old-timers can dominate in horizontal organizations. At a meeting in Santa Cruz, Ron told Don that he had a right to everything that Don enjoyed in this Caucus. Ron said, 'Every right that you affirm for yourself I affirm for me.' Don and Ron had renewed respect for each other from then on. When Ron had his last operation, Don visited him nearly every day even though sometimes Ron could not talk. Essentially what happened is that we created space for every person who wanted to do something."

In the early days of the Caucus ombuds drank a fair amount of alcohol and played cards until the wee hours. It appeared to some that these activities were more important to them than anything else. Geoffrey's assessment of these diversions was that, while a few were partaking, "others were sitting around having informal discussions in that very same room. Often those people who were playing cards told stories about incidents on their campuses, being discrete and not using names. One could learn a great deal by listening to the descriptions; these stories were educational and rich with meaning.

"I'm not a drinker but I really think the Canadians are reviving the informal tradition in very appropriate ways. For the past several years they have hosted a reception in the evening where people can congregate for informal discussions. Wine is usually available for anyone who wants it. One year I know that people went to someone's room and got card games going there. All of these are perfectly okay things."

After 1980, when ombuds from outside of California began to attend Cal Caucus, "I worked with

Amelia Frank to reignite the spark that had grown somewhat dim in the Caucus after 13 years. (Amelia had come to work with me in 1978 or 79 and remained with me for over 20 years.) This is what we added: Ken Hawkins, a community-board-program member, spoke on ethics; Bill Akin, from the Kennedy School at Harvard, spoke about professional techniques in ombudsing; Stanley Anderson and I talked about ombuds scholarship; Rena Grant, from UC Santa Cruz, and Pete Small, from Berkeley, spoke on politics and the role of the ombuds; Suzanne Chappellet spoke on affirmative action case law; Bill Schatz and Dr. Crary, medical director at Santa Cruz, discussed AIDS and homophobia." Shortly thereafter, Dr. Crary died of AIDS.

He hopes "that there will continue to be ombuds who really treasure the Caucus. As long as there are two or three ombuds, each should nourish the other until others catch the value of caucusing together to share, listen and learn."

After Ombudsing

The ombuds office at UCSB is now closed, and Geoffrey will officially retire on June 30, 2004. However, he remains deeply committed to the Caucus and plans to remain active for some time. His son, Geoffrey II, is a chemical engineer, who is very close to him. His first marriage ended in a divorce; his current marriage partner is Tamara Scott. They are in the process of moving to a new home in Atascadero, California, where he will savor his long and successful career as ombuds at UCSB. "I knew many, many people on campus and in the community of Santa Barbara. I worked effectively with campus and community residents. Several of the programs that I assisted in starting are still in existence and they have been institutionalized in city, county, and campus organizations and agencies." He hopes to help committed ombuds keep Cal Caucus alive.

ABSTRACTS OF ARTICLES IN THIS ISSUE

"Creating Real Ombuds through History and Institutionalization" by Susan Neff

The House of Delegates of the American Bar Association (ABA) endorsed the Standards of Practice for the Establishment and Operation of Ombudsman Offices in 2001. These standards are designed to reduce variation in role definition of the ombuds and in the methods they use for service delivery. Ombuds and other experts worked with attorneys to inform the process. But attorneys wrote the standards to reflect their legal training and cultural values.

In addition to developing standards these attorneys redefined ombudsing. Neff traces the evolution of ombudsing from its origins in government to its entry into higher education and reviews environmental and institutional characteristics that support ombudsing services. She encourages ombuds to identify essential characteristics of real ombudsing and to use them to design services and programs where they serve.

"Resisting the Ways of the Hero-An Ombuds Story" by Martine Conway

Conway discusses her practice as ombuds in case-study context. Citing standards of practice, she describes her actions in the conflict-management and dispute-resolution process, including her mistakes. The outcome was beneficial for the client, but she also increased her own understanding--and that of participating administrators-- of the ombuds role.

"Getting Started--Using your Internal Resources" by Marthanne Robson

As the first ombuds appointed to serve at Centennial Community College, Robson discusses how she used that institution's internal resources to develop her ombuds role and increase awareness of the existence and nature of the ombuds office. Centennial Community College is an applied arts and technology college that has as one of its primary missions to prepare students to be "job-ready" upon graduation. Robson requested assistance from instructors in advertising, news media design, information technology, e-business, and adult education. Not only were these resources helpful in creating awareness; they also helped establish a favorable image of the ombuds office, with which members of the college community could identify, and they enabled the ombuds to become acquainted with a large number of members of the faculty, staff, and student body.

"Trying to Get Oil From a Waterspout: Identifying Sources of Conflict and Interests in Faculty Disputes" by Lon Moeller

When Moeller agreed to help a junior faculty with a grievance, he found himself engaged in an earlier, unresolved, intra-departmental conflict. As he learned more about this conflict, he determined that a dysfunctional pattern of interaction had gone unattended for a significant period of time. Through the use of a collaborative approach, the ombuds helped faculty to identify common interests and helped to create a more positive climate for the department.

"University and College Ombuds Association and the Ombudsman Association Collaboration Update" by Andrea Briggs and Linda Wilcox

Two professional organizations of ombuds are studying the feasibility of merging into one organization in the belief that there is enough similarity in the missions of each organization to justify this proposed merger. Members of both organizations have been surveyed to determine whether they are willing to relinquish some power and to be flexible in working for change. A variety of partnering approaches have been considered, ranging from co-sponsoring conferences to becoming a federation, a joint venture, or a complete merger. Though there are disadvantages, the principal benefits that each organization expects to achieve through a merger are greater visibility, more powerful advocacy for members, and greater effectiveness in service delivery. A transition-oversight committee is currently identifying a committee structure that will facilitate a smooth transition from two organizations to one, if the membership of each organization votes to support merger.

Creating Real Ombuds through History and Institutionalization

Susan Neff

Susan joined the University of Washington Ombudsman's Office in 1991 and was appointed Assistant Ombudsman in 1994. She works with students, staff, and faculty at three UW campuses to prevent, manage, and resolve academic, administrative, and employment complaints. In 1998 she was nominated as distinguished staff for exemplary service.

To promote the preventive perspective of the UW Ombudsman's program, Susan provides educational seminars to University departments and organizations on topics such as reconciling disputes and learning through conflict. Her previous *Journal* contributions include a co-authored article, "Academic Ombudsing: Process, Roles and Relationships" (1996) and two book reviews (2001).

Her 25 years of experience in higher education includes work in student affairs at West Chester University in Pennsylvania, housing at the University of Georgia, and with returning adult students at City University in Seattle. She has also worked as a legal assistant and volunteered with the King County Superior Court CASA Program (Court Appointed Special Advocate) and with the King County Bar Association Neighborhood Legal Clinics.

Her degrees include a BS and Masters of Education from West Chester University; she also practices lifelong learning through guided reading and course work in areas such as communication, conflict management, and interpersonal dynamics.

In addition to ombudsing, Susan enjoys the outdoors, including walk-jogs with friends, and acting as aide-de-camp for the Rain City Flyers, a youth cross country and track running program coached by her husband, Jim, an attorney.

Introduction

(footnotes at end of article)

In August 2001, the House of Delegates to the American Bar Association (ABA)[1] approved Recommendation #107D, a resolution endorsing "Standards for the Establishment and Operation of Ombudsman Offices".[2] This resolution marked the culmination of a four-year effort to "clarify the means by which various types of ombuds operate" (ABA Report, 2001). From the start this process stimulated debate that continues to date.[3]

Criticism of the 2001 ABA standards process initially came from many of the very ombuds groups and individuals that participated in the standards process.[4] Dissent focused on the definitions of independence, impartiality, and confidentiality articulated as essential to all categories of ombuds. The definitions and categories were challenged as subjective (Frank 2001), as convoluted (Hill 2001), as inconsistent and virtually meaningless (Tompkins 2001), and as poten-

tially undermining the powers of classically established ombudsmen (USOA 2001).

A second area of debate challenged the 2001 Standards as broadening the definition of *ombudsman* (their term). The 2001 ABA Recommendation names categories of ombuds, including classical, organizational, and advocate.[5] In particular, the category termed "advocate ombudsman" was challenged as appearing to conflict with impartiality (UCOA, TOA 2001) and as an "oxymoron" (USOA 2001). UCOA and TOA endorsed the Standards, yet took exception to use of the term *advocate* in defining ombudsmen.

Some questioned broadening the definition of *ombudsman* beyond classical ombudsmen, established by legislation, to include "quasi" ombudsmen (Hill 2001) doing "ombudsman like" work (Tomkins 2001). By including executive, internal, and other ombudsmen who do not have structural independence, the 2001 Recommendation was seen as weakening the foundation of classically established offices (USOA, Hill, Tomkins 2001).

Debating standards within a profession or organization can be a positive exercise, with the expression of difference providing an opportunity for growth and learning. However, this standards process was not focused within a profession. It was an ABA process that produced standards for ombuds. Although a steering committee[6] that included representatives of most established ombuds organizations was part of the process and practicing ombudsmen and experts in the field provided consultation, the final recommendation was developed by ABA sections and approved by the ABA House of Delegates.

While the 2001 ABA recommendation's recognition of the value of ombuds and support of their greater use seemed reasonable,[7] the encouragement of elimination of variance in ombuds' role structure and function by adherence to their standards raised questions for me. I was also challenged by the relegation of non-classical ombuds to quasi status that was a part of the debate. Where and how can an ombuds be established? What characteristics are essential and how are they operationalized? And are classical ombuds the only **real** ombuds?

This article shares my reflections as I reconsider my own understanding of the institution of the ombuds and its adaptation, particularly to the academic environment in which I work. My purpose is not to add to the ABA Standards debate; questions about that process have been raised and are well argued by others. I acknowledge the importance of standards, but suggest reframing the discussion from one of standards to one of essential characteristics and relationships. The institution of the ombuds is recognized as valuable and worthy of adopting and expanding. I propose that real ombuds are created through history and institutionalization.

I have three goals: first, to add historic context to the concerns raised about the proliferation and variation in ombuds offices; second, to refocus on adaptation and transferability of the institution of the ombuds; and third, to stimulate a collegial dialogue within the community of practicing ombuds, including how to become real.

This introduction presents the framework for the article. The overview places the current debate into historic context. The discussion examines transferability of the institution of the ombudsman. The resulting themes and questions that emerge are presented in the conclusions, followed by recommendations to practicing academic ombuds and a summary.

Overview

From its beginning in Sweden, the institution of the ombuds has been adopted first in the Scandinavian countries, later in other countries, beginning with New Zealand. The first non-governmental adaptation of the ombuds was in 1965 by Simon Fraser University in British Columbia, Canada. Eastern Montana brought the ombuds to academia in the United States, and other universities soon followed. Ombuds offices now exist in the U.S. at all levels of government, in academic institutions, private businesses and organizations, and sub-units of these entities (ABA Report 2001), and around the world, with approximately 90 countries identified as having established offices (Gregory and Giddings, 2000).

In the late 1990's, the ABA focused attention on ombuds. Alternative dispute resolution (ADR) was gaining recognition in the civil justice system and ombuds provided one resource for ADR within many public and private entities. The Administrative Law and Regulatory Practice and Dispute Resolution sections of the Bar appointed a steering committee to

update and expand an earlier 1969 ABA recommendation. This 1969 "Statement of Principles" identifies twelve essential characteristics of governmental ombuds for state and local governments to consider in establishing the role function.[8] It is still recognized world wide as describing standards for governmental ombuds (USOA 2001).

Based on the premise that the proliferation of ombuds with variation in operational processes/roles, functions, and problems addressed led to confusion by users and practicing ombuds, the ABA Section of Administrative Law and Regulatory Practice undertook a process to clarify operational standards. The ABA logic was: if all ombuds were to operate with certain basic authorities and essential characteristics, then ombuds might better fulfill their functions and users of ombuds services would have greater confidence in the integrity of the process. "Without adherence to these standards, individuals may be reluctant to seek the ombuds' assistance because of fear of personal, professional and economic retaliation, loss of privacy and loss of relationships" (ABA Report 2001, Conclusion lines 11-13). The ABA concluded that, through standardizing operational processes and adhering to these standards, those seeking ombuds' assistance will know what to expect, and those providing services will do so with more consistency. It was urged that variations from these standards be eliminated over time (2001 Report, p.6). [9]

In contrast to this ABA logic, observation of a proliferation of ombuds offices in the 1960s stimulated a different response. "Ombudsmania" inspired Stanley Anderson (1969, p.4) to write enthusiastically for adapting the idea to American institutions. Anderson did caution that "ombudsman" was a "catchy" (p.43) name and encouraged guarding against its improper use. But rather than recommending adherence to a list of standards to limit variation, he suggested a process to adapt the concept to new settings, then to test transferability.

Anderson recognized an ombuds as more than an alternative for dispute resolution. He described an ombuds as a simple but powerful concept that contributes to resolving grievances, improving administration, and aiding administrative oversight. In his book *Ombudsman Papers* Anderson describes ombudsmen as "humanizers" for bureaucracies in need of a human touch and recognizes that with an ombuds "more can be done with grievances than merely resolving them" (p.72). An ombuds' relationship to the organization promotes feedback to the system and provides the opportunity to improve the bureaucracy. This "humanizing effect" is still recognized as contributing to an ombuds value to an institution (Olswang 1998, p.17).

Organization-ombuds relationship. Anderson's discussion of adapting the ombuds institution began with the entity or organization considering an ombuds. He presupposed standards for the organization, noting it must have (1) a reasonably efficient administration; (2) channels of communication; and (3) rules and a process of appeal. If these standards are met, the organization then develops a proposal for establishing the ombuds office that includes defining essential characteristics.[10] These essential characteristics then become the test of transferability. Thus, the ombuds evolves in relationship to the establishing organization and its principles. This leaves open the opportunity for expanding adaptation of an ombudsman to any setting.

Transferring the ombuds concept. Anderson then asserted that benefits of an ombuds can be adapted to any setting with: 1) a population; 2) a bureaucracy; and 3) a consensus or morality (see Gwyn in Anderson 1968). He defined a three-step process for transferring the ombuds concept: first, identify the essential characteristics of an ombudsman; second, examine the proposal for establishing the office; third, test the transferability. Anderson "pleads" (p.72) for implementation and further experimentation. Rather than eliminating variation, it should be observed and used as an opportunity for learning and testing transferability. Ultimately one adapts or tries the transfer, then tests and learns from the experience.

Other writers have also provided for transferability of the institution of the ombuds. Hill, starting with a more global problem of how to maintain democracy within a bureaucracy, emphasized in *The Model Ombudsman* (1976) that transfer must be achieved through a deliberate, practiced process. He then explored how to transfer the ombuds concept and institutionalize the role in new settings. Again, the question is not **if** to transfer, but **how** to do so.

Discussion

From the 1960s to the 1990s the discussion about the ombuds was not if-but-how to transfer. Adaptations and variations to the traditional or classical ombuds model were initially reflected in the naming of offices. Over time, specific titles of these adapted variations were lost to use of the generic title of *ombudsman*.

Ombuds services have a 30-year history within colleges and universities for review to assess the transferability of the institution to this setting. One institution's adaptation of the institution of the ombuds to academia illustrates Anderson's transfer process and addresses concerns raised in the ABA process. The University of Washington first appointed an ombuds in 1969. In his letter announcing planned appointment of an ombuds, President Charles E. Odegaard (1968) clearly stated that he was applying a concept developed in government to a different setting (See Appendix A). He invited participation in the "experiment" without prejudgment. With hindsight of 30 years, we can apply Anderson's test of transferability to review this adaptation.

Assessment begins with the organization considering the ombuds. Anderson's three standards for the organization are apparent in President Odegaard's announcement letter. First, he recognized existing systems of University governance and established appeals procedures. Second, he acknowledged channels of communication essential to operation of the institution that could be improved. Third, he assumed a reasonably efficient administration by citing the value of a means to increase effectiveness and efficiency of handling inquiry or complaint.

With regard to setting (a population, a bureaucracy, and a consensus of morality), President Odegaard addressed his announcement to faculty, staff, and students of the University of Washington, defining the population to be served. This University recognizes itself as a "complex bureaucracy, unlike any other in its organization." (*University Handbook*, Chapter 13) A mission statement and other institutional documents recognize the University as a community of individuals, coming together for a shared mission and purpose, and acting within shared values. Thus, this University was a setting for potential benefit from an ombuds.

The transfer of the concept of the ombuds (essential characteristics of an ombuds identified, proposal establishing the office examined, and transferability tested) is clearly articulated in President Odegaard's proposal for the appointment of an ombuds. Though he did not state the characteristics he deemed essential, some can be inferred from the proposal: the ombuds was to be available to all, had power to investigate and resolve matters, and had power to recommend. The ombudsman, then, was to be an addition to existing governance.

Since inception, five faculty members have served as ombuds for the University and each established and operated the office according to his/her own discipline. Variations did occur in practice, but there is no evidence these diminished the effectiveness of the office or confused users of services. The current ombuds has conceptualized a behavioral model of academic ombudsing to guide service delivery as the Price Spratlen Ombudsing model (PSO) (1997, 1998, 1999). It emphasizes education and competency development, making users of services informed participants in the process, thus limiting confusion. The model recognizes and incorporates Anderson's essential characteristics and is published for other ombuds to assess, adapt, and modify. It contributes to understanding the academic ombudsing process.

Certainly Hill's expectation that a transfer must be achieved through a deliberate process is met by Odegaard's establishment of the ombuds. Hill's expectation of a practiced process is evident in the 30-year history, and the office has withstood the test of time. The PSO model of academic ombudsing varies from the classical model in ways that can be tested, challenged, but most importantly understood by ombuds and users of services.

Conclusions

The value of ombuds in protecting the rights and interests of individuals is well established. Prolific interest in spreading the concept of an ombuds has existed for at least 30 years. From its beginnings, the institution of the ombuds has grown through adoption of the idea from one country to another and then from government to the university setting. This growth continues as the concept is adapted for specific purposes within levels of government and by public and private organizations.

Growth should proceed through a deliberate process and should not go untested. Well-defined and tested models of ombudsing incorporating essential characteristics can be adopted, then observed and evaluated. Adaptations of the basic principles of the institution of the ombuds can be articulated and publicized so users of ombuds services know what to expect.

Reincorporating accurate labeling of these variations in both title and role descriptions for ombuds offices has merit. Understanding the essential characteristics and presenting a reasoned argument for the variation provides an opportunity for learning that could strengthen as easily as dilute the power of the institution. Through systematic review and testing of essential characteristics, increased understanding of the evolving institution of the ombuds will emerge. Additionally, informing citizens or members of the community about these varied role functions serves an educative function that contributes to accessibility and minimizes possible confusion.

The ABA process highlights the importance of deliberate articulation of standards that express confirmed goals, communicate purpose, and differentiate the ombuds from other institutional options. They clarify expectations, promote informed participation, and invite evaluation. However, the recommendation of adherence to this set of standards to eliminate variation goes beyond articulation of standards to redefinition of the ombuds. By categorizing types of ombuds on the basis of function performed, the essential relationship of the ombuds to a bureaucracy is lost.

The ABA standards process was not an ombuds process. In fine ADR fashion, it considered the interests of the parties. Though the process included participation, the outcome was not mutually satisfactory. The final recommendation is recognized as the ABA Standards, with ombuds organizations reduced to endorsement status.

The ABA process presents an example of how the institution of the ombuds can be changed. It sets external standards to be adapted by those establishing ombuds offices, but simple adherence to the standards alone will not make an ombuds. Standards imposed become another set of rules and procedures for an office of an organization. However, if development of standards stimulates an internal discussion of the shared value of an ombuds within an organization, principles of ombudsing can prevail and understanding can evolve. An informed process of adapting the essential characteristics to a new environment provides an opportunity to further explore and strengthen the consensus of morality necessary for the institution.

Ombuds are not made real simply by legislative establishment any more than they are relegated to quasi status if established differently. And ombuds cannot become real simply by adherence to a list of standards. Ombuds can become real in relationship to the populations and institutions they serve when they acknowledge the essential characteristics, apply them in role function, and assist the institution in applying them to structure. Variations must be noted and tested, and practicing ombuds must be willing to give up the title when it does not meet the test.

Recommendations

The referenced texts and articles provide a starting point for understanding the institution of the ombuds--a unique institution, grounded in essential characteristics. Practicing ombuds and those considering establishing an ombuds would be well served to review the historic development of the institution and understand the traditional role and how the ombuds has been adapted from one setting to another.

An understanding of characteristics essential to an ombuds is necessary for the creation and effective functioning of this role, regardless of the setting. Practicing ombuds and those considering establishing offices must acknowledge these characteristics and incorporate these essentials into the proposal establishing the office.

Once established, the ombuds and the institution share in the responsibility to educate those who would seek assistance to the role of the office and how it will function. Safeguards to protect the process must be acknowledged in form and practice by the establishing body, the ombuds, and the individual user.

Standards used in establishing and operating the ombuds office must be articulated and published. Models exist and to the extent possible should be adapted to new settings. Variations from these standards should be made consciously and acknowledged publicly. They should be evaluated, and those that do not add to the effective functioning of the office and enhance the essential characteristics should be elimi-

nated. Variations from tradition must also be made consciously and openly so that others can test and consider the value.

With a renewed understanding of the role of an ombuds and self-reflection on how this institution has been adopted to a particular setting, a dialogue can emerge which incorporates respect for the institution of the ombuds, with understanding of the basic authorities and essential characteristics, while encouraging any variation that might benefit the transferability of this valuable and valued role to new settings.

The value of and desire for standards and a model has been clearly identified in the ABA standards process and resulting debate. Rather than continue to debate these standards point by point, practicing ombuds can use the standards and resulting debate as a stimulus for thinking about their own practice. The basic authorities and essential characteristics used in establishing and operating a particular office can be tested to assure they meet the ombuds standard. If not, it is incumbent on each professional wearing the ombuds label to work within the institutional structure to bring the essential ombudsing characteristics to the role.

Ultimately, if one has the label without the essential characteristics, one must give up the title. Practicing ombuds must have standards and uphold them in practice, communicate them to the community served, and provide a process that the user of ombuds services can understand and access. Justice is served by informed participation.

Summary

Since the 1960s, when universities and colleges first brought the institution to the campus setting and established ombuds offices, academic ombuds have been testing a variation of the classical model. It is a variation but one which supports and articulates the essential characteristics. Academic ombuds therefore have a special responsibility to test this adaptation and to continue to learn from observation of experience.

A university meets the test as an appropriate setting for adoption of the institution of an ombuds. It is a community; it is a complex bureaucracy; it has a shared mission and values. Education is fundamental to a university; thus, academic ombuds have a unique opportunity to build on and learn from this shared community value.

Most academic ombuds are established by presidential appointment rather than classical legislation. There is vulnerability when existence is a matter of policy of a creating entity. What is given can be taken away. But once established, the ombuds who respects the essential characteristics and promotes fairness, equity, justice, and other shared values of the community served becomes integral to the culture of the organization. Ultimately it is the historic value of the ombuds and institutionalization of the concept that makes the ombuds real.

Published models provide advice and guidance for establishing and operating ombuds offices: adopt and adapt but have a model and a conceptual framework for service delivery to maximize effectiveness. With such procedures individuals seeking assistance will have confidence in the integrity of services provided. Publicized standards and models provide accurate information for understanding the ombuds role within the institution.

Real ombuds have continuous dialogue with colleagues, share what they do and why, discuss variations in practice, and remain principled, remembering that the ombudsman is the great humanizer, not the great mediator.

Footnotes

[1] The American Bar Association (ABA) is "the national representative of the legal profession, serving the public and the profession by promoting justice, professional excellence, and respect for the law." (<http://www.abanet. org/about/goals.html>)

[2] For the full text of the 2001 ABA Recommendation, Standards and Report, see <http://www.abanet.org/adminlaw/ombuds>

[3] This article was originally completed in October 2002. A 2003 ABA Recommendation, Standards and Report have now been issued. <http://www.abanet.org/adminlaw/ombuds>.

Changes to the 2001 Recommendation made in the 2003 Recommendation are footnoted, but not discussed in the text of the article. The author maintains the basic premises of the article remain applicable to the 2003 revision.

[4]For the full text of letters and documents in response to the 2001 ABA proposal, see <http://www.usombudsman.org/aba.htm>.

[5] The 2003 Report adds the category of executive ombuds and redefines classical, organization and advocate.

[6] The Steering Committee included representatives of the United States Ombudsman Association, The Ombuds Association, the University and College Ombuds Association , and others.

[7] The 2003 recommendation deletes reference to support of greater use of ombuds.

[8] Section G. of the 2003 Report emphasizes that this ABA policy remains the model for appointment of classical ombuds.

[9] ABA 2003 Report, p.12.

[10] Anderson's list of essentials includes: (1) independent; (2) impartial; (3) expert in government; (4) universally accessible; and (5) empowered only to recommend and publicize (1969, p. 3).

References

American Bar Association (2001, August). *Resolution, standards, and report* of the recommendation and standards for the establishment and operation of ombuds offices. Retrieved December 8, 2003 from <http://www.abanet.org/adminlaw/ombuds>.

American Bar Association (2003, August). S*tandards and report* of proposed changes presented to the ABA House of Delegates. Retrieved December 8, 2003 from <http://www.abanet.org/adminlaw/ombuds>.

Anderson, S.V. (1968). Proposals and politics. In S. Anderson (Ed.), *Ombudsman for American government.* Englewood Cliffs, NJ: Prentice Hall, Inc.

_____ (1969). *Ombudsman papers: American experience and proposals*. Berkeley, CA: Institute of Governmental Studies.

Gregory, R. & Giddings, P. (Eds.). (2000). *Righting wrongs: the ombudsman in six continents.* Washington, DC: IOS Press.

Gwyn, W.B. (1968). Transferring the ombudsman. In S. Anderson (Ed.), *Ombudsman for American government?* Englewood Cliffs, NJ: Prentice Hall, Inc.

Hill, L. B. (1976). *The model ombudsman*. Princeton, NJ: Princeton University Press.

_____ (1997, April). American ombudsmen and others; or, American ombudsmen and 'Wannabe' ombudsmen. Retrieved December 8, 2003 from <http://www.abanet.org/adminlaw/ombuds/wannabe.html>.

_____ (2001, July). Letter in opposition. Retrieved December 8, 2003 from <http://www.usombudsman.org/ABA/Hill.doc>.

Odegaard, C.E. (1968, October) Letter to the University Community. University of Washington: Office of the President.

Olswang, S.G. (1998). The ombuds' place in the university. *The Journal of the California Caucus of College and University Ombuds*. 1(1), 14-17.

Price Spratlen, L. & Neff, S.L. (1996). Academic ombudsing: Process, roles and relationships. In R. Wilson (Ed.), *The Journal 1996*. Irvine, CA: California Caucus of College and University Ombuds.

_____ (1997). Ombudsman: A new role for advance practice nurses in psychiatric-mental health nursing. *Perspectives in Psychiatric Care*, Vol. 33, No.3, 5-13.

_____(1998) Academic ombudsing: Unique characteristics and relationships. In R. Wilson and L. Price Spratlen (eds.), *The Journal of the California Caucus of College and University Ombuds*. 1(1), 8-12.

_____(1999). A behavioral model of academic ombudsing. *The Journal of the California Caucus of College and University Ombuds*. 2(1), 33-42.

Tomkins, B. (July 19, 2001) Open letter re ombudsman standards. Canadian Ombudsman Association: Retrieved December 8, 2003 from <http://www.usombudsman.org/ABA>.

University of Washington Handbook (1980). Sections 13-01-13-22. University of Washington: Seattle, WA.

USOA (July 19, 2001) Letter to Ms. Martha W. Barnett. United Stated Ombudsman Association. Retrieved December 8, 2003 from <http://www.usombudsman.org/ABA>.

UNIVERSITY OF WASHINGTON
OFFICE OF THE PRESIDENT

October 31, 1968

To Faculty, Staff, and Students of the University of Washington

I wish to inform you that I plan to appoint a person who shall be known as the Ombudsman for the University, and that I am asking a committee of faculty, students, and administration to advise with me on this appointment. The committee members, consisting of two students, two faculty and two administrators are:

Dr. Solomon Katz, Vice President for Academic Affairs and Provost, Chairman
Mr. Thom Gunn, President, ASUW
Mr. John W. Harding, Director, Physical Plant
Professor Kenneth M. McCaffree, Vice Chairman University Senate
Professor Robert O. Payne, Chairman, Faculty Council on Faculty Affairs
Mr. Stephen White, President, Graduate and Professional Student Senate

The function of the Ombudsman is described as follows: The Ombudsman is established to assist in the protection of the rights and interests of individual members of the student body, the faculty, and the staff against arbitrary or capricious action or lack of appropriate action by University agencies, the student body, the faculty, or the staff. In pursuance of this purpose he shall (1) act as a source of information and assistance available to all members of the University community concerning rules, regulations, and procedures of the University both academic and non-academic; (2) receive complaints from students and members of the faculty and staff with regard to alleged inequities; (3) bring the complaint to the attention of the appropriate University agency, if it has not already been heard by the agency; (4) investigate complaints which have already been heard when the individual concerned still feels aggrieved and seek to resolve the difficulty between the aggrieved individual and the University agency involved; (5) recommend to the President redress when the Ombudsman believes that an individual has been improperly treated and when the Ombudsman has been unable to resolve the matter himself; (6) recommend to the President and to appropriate authorities such changes in rules, regulations, and procedures as he deems necessary or desirable.

The appointment of an Ombudsman will not displace the existing system of University governance or its established internal appeal procedures. It may, however, improve communications about the University's methods of operation on different subjects and enable members of the University community to present an inquiry or complaint more effectively or more expeditiously. And it may reveal gaps or errors of commission or omission which need attention and remedy.

The appointment of an Ombudsman in a university setting is still comparatively rare and certainly largely untried. Whether an analogy of the government Ombudsman in Scandinavia as applied to an American university will prove productive and useful in this very different setting remains to be seen. At this point in time we need not prejudge the case beyond attempting the experiment to see how it works.

If you have any suggestion as to a possible Ombudsman, please address them by letter to the chairman of the committee, Dr. Solomon Katz, 308 Administration Building.

Sincerely yours,

Charles E. Odegaard

Charles E. Odegaard
President

CEO:ka

Resisting the Ways of the Hero – An Ombuds Story

Martine Conway

Martine Conway has served as ombuds at the University of Victoria, Canada since 1999. She came to Victoria with over ten years of university teaching experience and a background in workplace and community mediation and in interpersonal dispute resolution on campus. She offers training in conflict resolution.

With an MA in English from the University of Chambery, France and before ombudsing, she taught English and French in workplace and community programs for adult learners. She has been involved in community work with the Ottawa-Carleton Immigrant Services Organization and with a Restorative Justice project in Victoria. Her interests include language, discourse, and their use in conflict analysis and resolution.

Like all ombuds, I play various roles in the course of my work. According to my office brochure, these include: providing information, advice and referrals; assisting with the informal resolution of problems and conflicts; investigating and making recommendations. Of course, visitors have their own expectations and assumptions about the ombuds' role, some of which are not necessarily consistent with the ombuds mandate. Some believe the ombuds will automatically take the side of the complainant. Others expect the ombuds to step in and take over control of the process. People also have their own ideas about investigations, in particular **when** they take place and **how**. As complainants, they may have a very clear idea about what the "other side" did wrong and a much more subdued sense of what they themselves contributed to the situation. These conflicting expectations sometimes challenge us in our practice.

The story you are about to read is a case study in an ombuds office, one which provided challenges to the office's standards of practice. But it is a narrative that invites you to sit along in the ombuds chair as I work through various phases of my involvement in Susan's case. It is also an attempt to capture the "reflection-in-action" that led to some of the directions I took and the decisions I made. *Reflecting-in-action* is a term used by Donald Schön (1983) to describe an element of professional practice:

> Through reflection, [the practitioner] can surface and criticize the tacit under standings that have grown up around the repetitive experiences of specialized practice, and can make new sense of the situations of uncertainty and uniqueness which he may allow himself to experience. (p. 61)

Some of this reflection takes place after the fact. But Schön reminds us that practitioners "may also reflect on practice while they are in the midst of it" and that "reflection-in-action . . . is central to the art through which practitioners sometimes cope with the troublesome 'divergent' situations of practice." (p. 62)

Susan is a fictitious name, and other details have been modified to respect the confidentiality of the people in the story. Susan, a student in a professional program, had completed most of the courses as well as two work placements, with A and B grades. She was in the middle of the third placement when a conflict occurred, which led to a failing grade and a requirement to withdraw. (The expression *requirement to withdraw* is used on our campus to indicate that the student is dismissed from the program.)

In a situation like this, the student can accept the decision and withdraw or appeal the decision. The ombuds' role involves informing the student about her rights and responsibilities, referring her to support services, and guiding her in the use of appeal procedures. The ombuds office isn't part of the appeal process, but I can provide students with information about grounds for appeals and with organization and presentation of an appeal letter. But the first thing I do is to listen to the story.

Susan first came to my office on a referral from a counselor--extremely upset and distraught. She had experienced what she called a "grossly unfair process." On the verge of tears, she explained that she had had no voice, that she was being failed after completing most of the program and getting consistently good grades, that she was the victim of an injustice. As she sat across from me, she told a story of someone who was powerless, who had no responsibility for what had happened, and who needed help.

My interview with Susan was long and difficult. It was painful for her. She felt very hurt and was at times overwhelmed with tears. She didn't know what the department head thought she had done wrong. And she described a situation where people she trusted to advocate for her had instead aligned themselves with decision-makers. She had lost trust in the system. And she was also too emotionally distressed to begin the work of appealing the decision or discussing what had happened from anything but her own internal perspective. Our first meeting probably looked like a counseling session, with my listening and empathic skills fully turned on.

I remembered a presentation by Gary Harper I had attended a year before, entitled "Once upon a conflict" (Harper, 2000). It used the archetypes of the fairy tale with its well-known characters of the princess (or victim), the villain, and the prince (or hero) to show how people in conflict tell their story from the position of the princess, identifying a villain responsible for all their woes, and seeking a hero or champion who will come to the rescue. The presenter went on to talk about ways to assist people in conflict by helping them see themselves and the "other" as full people --princess, villain and hero all in one.

This wasn't a simple task. In fact, it was clear from Susan's account and the few written documents she was able to show me that something wasn't right about the process she had experienced. But, of course, that didn't mean the decision was wrong. Susan's behavior in her work placement had been judged unprofessional, which wasn't a trivial concern. Professional programs have requirements regarding professional behavior. Some expect their students to adhere to the professional code of their profession; others have adopted their own guidelines. Some professions do not have an external regulating or certifying body. In those cases, graduation from a program is seen as "certifying" that the student has met professional requirements. Understandably, professional programs take their responsibilities in that area very seriously.

Penalties for unprofessional behavior can be very severe, including withdrawal from the program of study. Such decisions need to be made according to a process that meets the primary requirements of procedural fairness: the right to be heard and the right to an unbiased decision. The right to be heard is linked to requirements for appropriate notification (including the matters of concern, relevant policy or code, disclosure of specific information or evidence, range of possible consequences, and information about the process to be followed).

These procedural safeguards would be available to Susan on appeal at the faculty or senate levels. But given the nature of professional programs and the authority held by individual departments over their own disciplines, it is important for procedural safeguards to be applied at the program level. This is where

decisions regarding a student's continuation, probation, or withdrawal are first made. It is also where academic support and professional relationships are built between student and instructors. An ineffective process at that level erodes the trust needed to carry out those responsibilities.

So what stage had the process reached? Susan had met with the department head, who had told her that her behavior had been unprofessional and that she was expected to "take responsibility." This meant reflecting on what had happened and preparing a response. Susan was also given a referral to a counselor who could help her reflect and prepare a response. Those are fairly standard expectations in such a situation. We belong to teaching institutions. A student who demonstrates an awareness of her own strengths and weaknesses, who is able to process feedback, who learns from her mistakes, and who can present a responsible and balanced account of what happened may continue to be a good candidate in her field.

But Susan directed blame outwards. She seemed to react defensively to criticism. Was this evidence that she was incapable of reflecting on her behavior, therefore unsuited for the program? Or was she at a different place in the process? Conflict-resolution training suggests that people need to be heard before they can shift perspective and begin to hear the other side. Was the process chosen by the program making it impossible for Susan to hear? She voiced legitimate concerns about that process, asking that the unit she interacted with be held to the same professional standards she was expected to meet. And as she did so, she seemed to sink deeper into the quicksand. By the time she met with me, I wasn't sure that, even with my help, she would be able to articulate her concerns clearly and make an informed decision about how to proceed.

So what went wrong with the process? First, there was a sense that there might be an element of mental instability in the student. There was no professional diagnosis available yet, but there was a concern based on some observation. In Susan's case, this later proved not to be true, but she had struggled with a debilitating medical condition and a family crisis. In the meantime, the concern about possible mental instability led to a complex and unfocused response from the unit. Confusion is not uncommon when a unit is faced with such a situation for the first time. Typical reactions include:

- a sense that the student will need support and an attempt to refer the student to appropriate resources
- reluctance to intervene in a conflict or disciplinary problem because of the perceived mental health condition
- delays in clarifying norms, resulting in an escalation of behavior and/or an intensification of conflict
- difficulties in balancing the (legislated) duty to accommodate and the responsibility to set appropriate limits
- protracted decision-making, leading to unreasonable delays or lack of progressive discipline.

(Adapted from *The Ombudsperson's Report*, February 2003)

In Susan's case, all this was happening and interacting to create a confusing and unfair situation--for all involved. Susan had not been given anything in writing or orally identifying the nature of the concerns in the workplace or the professional expectation she had failed to meet. Earlier behavior that was thought to be inappropriate had been left unchecked, and the opportunity for an early and constructive intervention had been lost. Susan was asked to respond to allegations without having received documentation. Susan was unable to re-register for a period of several months, yet no decision was made, no clear deadlines or clear processes were established, and fact-finding became more rather than less confused.

The academic unit keenly felt its responsibility to the profession, while worrying about making the wrong decision in a situation where the courts could become involved. There was reluctance to put anything in writing while facts were uncertain. Meanwhile, the counselor, who had started out as a resource for the student, became trapped in diverging expectations. His role became blurred in people's minds to include: diagnostician and provider of a solution, conflict resolver and student advocate (possibly without the student's presence). While he struggled to remain within his mandate, expectations kept shifting, and unrealistic perceptions kept stretching his credibility and effectiveness. Understandably, it was at that time that the counselor made the referral to the ombuds office, but not before Susan had lost faith in the system and disengaged from all regular sources of support.

I was next in line to be the champion. (The hero who was to save the princess, remember?) Certainly, that was Susan's expectation and her need, which meant that our meetings were a constant struggle to define and re-affirm the ombuds role. I did a lot of listening, because it was the only way to unlock Susan's position. But I was also careful not to let her leave with inaccurate impressions. We tended to close our meetings with a common list of what we had agreed to do (what she was to do, what I was to do). And as my role shifted from listener to advisor to intervenor (i.e., meeting with the other units involved), I constantly went back to the brochure describing my varying roles in order to provide a sense of continuity and congruency, as well as to remind her of the boundaries. As needy and isolated as she felt at times, I didn't allow any false expectation about my role to slip by. Our meetings, therefore, continued to be painful for her--and for me, too. I couldn't jump in and save her. But we moved forward.

I informed Susan about procedural fairness and what constitutes grounds for appeal. I assisted her in finding a language for her legitimate concerns and for obtaining appropriate information. Slowly, I also began to challenge her in her perspective about what had happened and where she had responsibility. I said it was painful. I was working with Susan at a time when she wasn't yet willing to look at her own responsibility. The most terrible moment was when she got up and left, saying that not even the ombuds was there for her. I thought she might not come back, though I knew there was no one else, at least not on campus--no one she trusted.

But I reminded myself there were others. I hadn't started challenging her until after she had made contact with free off-campus counseling and advocacy. Susan had a case--a good one. She needed to get perspective. Eventually, she did come back.

In the meantime, I found that the unit was also the "princess" of its own story--and rightly so. They had been patient with the student and given her the benefit of the doubt in the past. They had made sure to connect her with supportive resources. And they were faced with a new and difficult situation, without receiving much guidance. Yes, they welcomed the arrival of a new player who could guide them in the process. But more than that, they wouldn't mind finding someone to rescue them. In fact, if I could tell them what to do, they would do it. The decision wasn't mine. We all agreed on that. But the process was clearly one of my areas of expertise. It sounded promising, so I explained and left a one-page description of procedural fairness. I gave referrals to other resources with experience in procedure. I clarified ways in which I could help (e.g., advising on process) and ways in which I couldn't (i.e., becoming a part of that process).

It should have worked. But it didn't. Things were done, and yet the situation continued to remain unclear. I realized that the unit still felt uncertain about its process, given the context of possible mental instability. They followed some of the ombuds' recommendations but in an incomplete manner that seemed to drag the situation further. They referred to the ombuds on memos to the student and other units, and somehow their efforts made the process "look right." Yet it wasn't right. Time was passing, and, even though communication continued, we seemed to be speaking to each other's walls. I was left with the sense that, by becoming involved, I had been handed over responsibility for the case without having the means to exercise that responsibility.

I reflected that my point of entry into the story had been a delicate one. I wasn't investigating a process after the fact. I wasn't mediating a solution either because a disciplinary process was underway. I had observed a process that seemed on the verge of derailing, and I had intervened within the bounds of my mandate. The idea was to keep both sides on track. But this was becoming a challenge to notions of independence, confidentiality, and impartiality--tenets of the Ombuds' Standards of Practice.

So I did something I rarely do because I know that, if I put something in writing, it becomes a piece in any formal procedure. I sent a memo to the academic unit, which I copied to the student and to the units that had been copied about Susan's case. In the memo, I listed a number of undisputed facts and dates related to the work placement, its discontinuation, the absence of a decision, the time elapsed, as well as recommendations for process. Essentially, I was putting the unit on notice. I was doing so without expressing an opinion about the substance of the case, but I was still concerned about how the office would be perceived. Yet I knew that not writing the memo meant letting the ombuds office become part of a flawed pro-

cess (by association or by default) and losing credibility at all levels--including my own.

Throughout this process, what did I rely on to make decisions and to reflect in action? My mandate and common Ombuds' Standards of Practice, which I had first studied a few years ago. I vividly recalled my introductory ombuds workshop, in which the terms of reference for my office had identified my areas of jurisdiction. They were a constant reminder of the boundaries of the ombuds' role, for example, objectivity and independence. But Standards of Practice also challenged me to live up to my role's full potential. I don't know if I did, but I tried to make my practice correspond to the spirit of ombudsing, not just the letter of the mandate.

Where did I find resources and support when I needed them? I talked to ombuds colleagues to ask for advice. I debriefed with them several pieces of the story over the years. I'm doing it now by writing this article and, I hope, inspiring others to write about situations that have challenged their practice.

Did I make mistakes? Yes, many along the way. I am presenting here the knight-in-shining- armor version of this story. But at times, I saw myself more as the wronged princess or the guilty and cowardly villain. The challenge was to ask myself why, to continue asking until I had a meaningful answer, and then to do what I thought was right.

What lessons did I learn? First, it is true what they told me about my mandate. I pinned it to the wall of my office where I can see it. I talk about it with my visitors, explaining my role as often as I have to. When I act or don't act, I give my visitor a context for my decision.

Second, I learned to say "no" in a way that doesn't close the door. It helps to be committed, consistent, and congruent. As I said, Susan came back. In fact, she appealed, and, although the failing grade stood, she was given another chance to complete the work. She graduated.

It also helps to persevere and to frame my comments according to the mandate and context of the person I'm interacting with. I continued to work with the academic unit after the appeal, and we discussed appropriate ways of supervising the new work placement. There, my conflict training and communication skills came in handy. For example, I used consequential questions to explore what would happen if the student actually failed the placement a second time and the same liaison officer was responsible for her evaluation. What kind of pressure would that place on this person? What would happen to an appeal based on the grounds of apprehension of bias? And it was agreed that we would establish a different liaison between the new workplace and the academic unit. There were lingering areas of disagreement over some requirements, but the unit and the student in turn made use of the ombuds to help clarify meaning and discuss options.

Third, I don't tell myself that I have no responsibility just because I don't have authority over substantive issues. I'm not neutral. Every time I become involved, even just by talking to someone about something as safe as process, I contribute to the telling of a story and the shaping of a decision.

Fourthly, I make my challenges my next areas of expertise. I attended a workshop on mental health problems. I dug around for material on dealing with emotionally troubled students. I was impressed with Mary Rowe's article (Rowe, 1994). Talking about situations involving delusions or quasi-delusions, she describes an approach that focuses on "the right of everyone . . . to pursue their concerns and grievances appropriately." In difficult situations, especially "where there are both complaints and counter complaints," she suggests assigning "different complaint handlers to concentrate on the rights and interests of different parties." I decided to devote the reflection piece of my next annual report to conflict and mental health problems and offered the following thoughts to the campus community:

> Staff and faculty involved in resolving these issues often report feeling stressed by conflicting demands and expectations, and they sometimes experience confusion about their role or mandate. It seems particularly important in those situations to consider the following:
>
> • making sure each party has access to independent support and information about their rights and responsibilities (rather than all information coming from the decision-maker);
>
> • making sure parties are involved before decisions are made, and making

sure they are heard before disciplinary action is considered or discussed;

- minimizing the risk of role confusion by identifying a primary role for each intervenor and referring parties to appropriate resources;
- clarifying expectations about behaviour and norms while being responsive to individual circumstances;
- making use of on-campus resources inside and outside the academic unit.

(*The Ombudsperson's Report*, February 2003)

Finally, I don't ever think I am indispensable, and I remind others that they are not either. I try to be creative and provide alternatives, challenging people in a supportive way and helping them become full persons in their own stories. In his presentation, Gary Harper showed how, if we resist the negative or narrow attributes inherent in each of the victim, hero, or villain roles, we can draw on all those characters' positive dimensions within ourselves; even the villain has qualities like "patience," "creativity," and "organization," and we can "rewrite our conflict stories."

References

Harper, Gary (2000): *Once upon a Conflict,* Interaction 2000 Conference organized by the Network: Interaction for Conflict Resolution, UBC, Vancouver, BC, Canada, June 10-13.

Rowe, Mary (1994): People with delusions or quasi-delusions who "won't let go," in *The Journal of University and College Ombuds Association*, Occasional Paper, Number 1, Fall issue.

Schön, Donald (1983): *The Reflective Practitioner: How Professionals Think in Action*. Basic Books, Inc. New York.

The Ombudsperson's Report, Volume 6, Issue 1, University of Victoria, February 2003.

Getting Started--Using Your Internal Resources

Marthanne Robson

Marthanne Robson joined Centennial College in July 2001 as the College's first ombuds. She is a lawyer, mediator, and a member of both the Ontario and Quebec Bars. Born and raised in Toronto, she received her B.A. from Brock University in St. Catharines (1979, Political Science and Administration) and her law degree from the University of Ottawa (1984).

She spent 13 productive years in Montreal, where she was corporate counsel with Alcan Aluminum Limited (1987-1997), specializing in intellectual property, contracts and pensions, and benefit law. Before coming to Centennial, she was Director of Sexual Harassment Office at the University of Montreal (1998-2001).

Marthanne is passionate in promoting social justice, including fair trade products, socially responsible investing, and human rights advocacy. She has traveled the world to conduct workshops on topics such as "women and work" and "sustainable development."

She makes her home in Geogian Bay with her husband and four of her children, while the oldest lives in Montreal, completing a degree at McGill. Marthanne is an avid supporter of small businesses in her community and is always on the search for a restaurant which serves great squid.

I was appointed as the first ombuds at Centennial College in July 2001. It was also my first role as ombuds. This article describes some of the ways in which I, as a newcomer to my institution and to the ombuds profession, in a newly established office, tapped into some of the internal resources of the college.

There is nothing like working together constructively on a useful project to get to know people, as well as establish trust and credibility. Almost everyone likes to have an opportunity to show where he or she excels. Faculty are, for the most part, quite enthusiastic about what they teach, and believe in what they are doing. In many ways, there is no greater compliment than saying, "I hear you do great work. Can you help me?"

Centennial is a community college of applied arts and technology, located in Toronto, Ontario with four campuses. It offers programs in business, engineering, communications arts, health and applied arts, and science. It is also an "access" college, offering programs to new Canadians, English-as-a-second-language students, and upgrading for college and university admission. There are about 12,000 full-time and 35,000 part-time students with a total of 1,400 staff. Programs are very practical and are designed to make students job ready. Some of the resources that I have drawn upon come from program areas such as advertising, new media design, information technology, e-business, and adult education.

Branding the Ombuds Office

One of the first tasks in setting up an ombuds office is to promote it. How can one communicate what the concept of ombuds means? As luck would have it, in our college's creative advertising program, one of the teachers in the program was a specialist in "branding." Going far beyond creating a logo, such as the Nike swoosh, branding means creating an identity that the target audience can recognize and identify with.

We gathered a focus group to do a "brand immersion" exercise, in which the group asked and answered the following questions about the ombuds:

Why do people find the ombuds appealing?

People will feel helped, heard, guided, relieved and reassured. They will feel empowered and optimistic about resolution.

What is the ombuds' personality?

People will find the ombuds accessible, impartial, fair, caring, listening, and supportive. The ombuds is organized, even-tempered, confident, and trustworthy--as well as non-threatening, non-judgmental, and friendly.

Who does the ombuds appeal to?

To students seeking justice or needing a helping hand. To students who feel alone, are confused, upset, or frustrated and don't know what to do. The ombuds cares that Centennial does things the right way/the best way.

Why is the ombuds different?

The ombuds has no vested interest in the problem. The ombuds is independent and pan-college. The ombuds has access to all layers and levels and the ability to effect positive change. The ombuds is not in a silo and has the ability to deal with systemic problems.

How does the ombuds express herself?

The ombuds is straightforward, down-to-earth, friendly, welcoming, compassionate, empathic, and genuine.

How does the ombuds need to develop?

The mandate may be fuzzy to some. The ombuds needs to have people understand the role. The ombuds may have a credibility problem even before beginning. The ombuds needs to build relationships. The ombuds may need to break down feelings of fear, intimidation, and suspicion. The ombuds needs to have people thinking of her when there is a problem they can't solve. The ombuds needs to develop a presence on all campuses.

From this exercise a final brand "positioning statement" was developed:

> To students who are stuck in the system at Centennial and need help, the ombuds is the person who will show you the way and empower you because the ombuds has no vested interest in the resolution to the problem and has the ability to effect positive change.

The positioning strategy addressed the following questions:

- Objective: What does the ombuds want students to do?

To think of meeting the ombuds when the student has a problem at Centennial s/he cannot solve.

- Target: To whom is the message addressed?

A student seeking justice, who feels alone, confused, upset and frustrated; a student who needs a helping hand.

- Benefit: What is the ombuds going to do for the student?

The ombuds will show you the way and empower you to find a resolution to your problem.

- Why should a student believe the ombuds?

The ombuds has no vested interest in the resolution to a problem. The ombuds is independent and pan-college. The ombuds has access to all layers and levels and the ability to effect positive change. The ombuds is not in a silo and has the ability to deal with systemic matters.

- Brand Character: Who is the ombuds?

The ombuds is a navigator. The ombuds is also accessible, impartial, fair, caring, and supportive. The ombuds is organized, even-tempered, confident, and trustworthy. The ombuds is non-threatening, non-judgmental, and friendly.

The resulting "brand vision" was then handed over to a creative person to design the promotional campaign. The results in the case of the Centennial Ombuds Office were the poster/postcard campaign "Is there anyone else who can help me?"

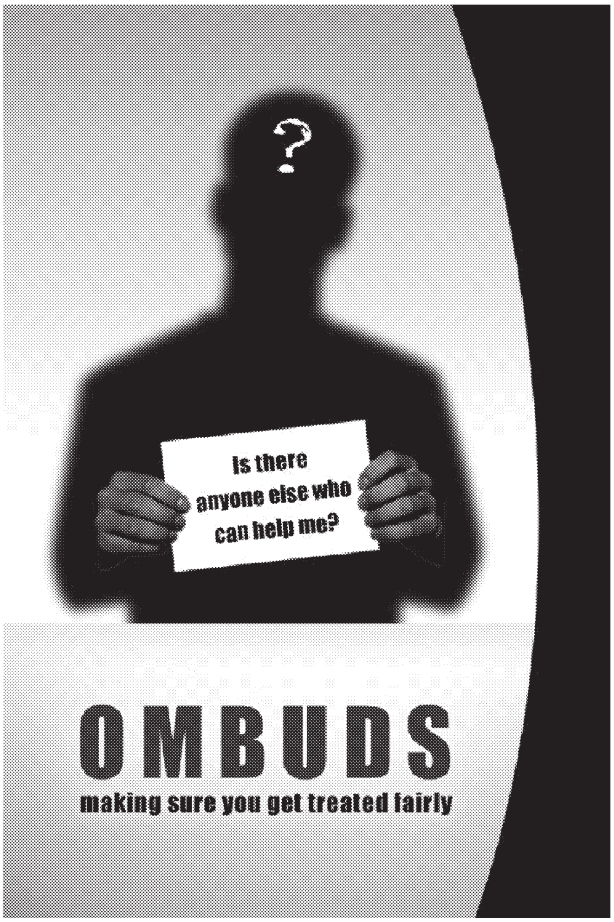
The statement "is there anyone else who can help me?" might seem quite obvious to characterize an ombuds office. However, the branding exercise

permitted a deeper reflection on what the ombuds is all about. While the college hierarchy did not wish to personalize the position, it became apparent through this exercise that the credibility and accessibility of the office was very much tied to the person who was ombudsing.

Teaching: What Does an Ombuds Have to Say?

The first cases that came through my door were complaints about teachers and teaching. In one of my first public appearances in the college, I was asked what experience I had teaching. I'm a lawyer by training, have home schooled four children for twelve years, and conducted human rights training internationally but had not taught in the college setting. I decided that I needed to find out more about what was supposed to be happening in the classroom.

In the first month on the job, I was invited to attend a special introductory session of the Teacher-of-Adults program. This is the adult education certificate designed for full- and part-time teaching staff. Most colleges in Ontario offer in-house teacher training, as teachers are often recruited for their expertise in an industry and may have had no prior teaching experience.



The introductory session included basic theories of adult education and paradigm shifts in attitudes towards teaching, as well as college policies and procedures. In that session, I heard what was, in theory, supposed to be happening in the classroom. I wondered whether, in fact, it was.

Enrolling in the teacher's certificate program at the college allowed me the opportunity to experience a student's perspective on registering, learning, and navigating the college bureaucracy. It also allowed me an opportunity to meet other teachers at the college, as well as those interested in teaching elsewhere. It provided a good networking opportunity and a way to meet faculty informally.

The teacher's certificate includes courses in evaluations and assessment, seeking constructive feedback from students, and diversity, both cultural and in learning styles. These courses have enabled me to be a better coach when students seek my advice about matters occurring in the classroom and difficulties they are experiencing with their teachers.

During the first two years of my three-year mandate, the most common problems students brought to the office were complaints or concerns around teaching, teachers and, academic (evaluation) appeals. Our college has a fairly well-established and elaborate academic appeal procedure. Unfortunately, many students are unaware of it. In some cases, students who consult the ombuds about unfair evaluations have not been given clear marking criteria or rubrics. I explain to students that they are entitled to know up front by which criteria they will be assessed.

The college has no formal process for dealing with classroom problems or teaching style, unless the behavior amounts to harassment or discrimination. Centennial does not have formal evaluations for permanent unionized faculty members. Students are often at a loss when disputes arise with teachers. They do not know where to turn, in particular if they feel uncomfortable addressing the problem directly with the teacher. Problems are often not addressed.

The course in the Teacher- of-Adults program on diverse learners has made me reflect on the confrontational paradigm of our conflict-resolution system. Our processes require students to speak initially and directly to

a teacher and ask for an explanation. In many cultures, one never questions authority. Students are then required to follow through the college hierarchy. This can create an oppositional dynamic that may be very unfamiliar as well as uncomfortable to students. I have been reflecting for some time on whether other approaches to conflict resolution such as a "wise elder" model and a restorative justice model might be more inclusive.

Another course in the program requires that students prepare a 15-minute lesson, the presentation to be videotaped and critiqued by peers. For that assignment, I decided to prepare and refine a 15-minute presentation about my office. I found it a challenge to condense the presentation into 15 minutes, while providing diverse and interactive elements addressing different learning styles and multiple intelligences.

I have not been permitted many opportunities to present my role and function, and when I am, I'm expected to so in about 90 seconds. A 15-minute presentation is much too long for that purpose. I am still working on condensing the presentation into a sound bite.

The institutional culture at Centennial is very much relationship-based. Students, as well as staff and teachers, seem to retain a message better when it is delivered in person rather than in a brochure. When I am given a reasonable amount of time to present, I tend to get a relatively high response rate. So far this year, one orientation for about 30 students generated three visitors to the office within less than a month.

My most recent course in the teaching certificate explored adults with learning disabilities. In addition to learning about some of the common forms of learning disabilities, I learned about behavioral problems often experienced by students with learning disabilities. Miscommunication and misunderstanding create or lead to behavioral problems. This led me to reflect upon our college's own internal conflict-resolution system and procedures. Are our processes truly accessible to students or employees with learning disabilities?

Learning disabilities are characterized by problems in processing information. A student who doesn't respond promptly to a direct question may be taken by the teacher to have been daydreaming or not paying attention. If the teacher then gets upset or frustrated, the student doesn't understand why the teacher is upset and feels mistreated. If the miscommunication takes a downward spiral, the student could be ejected from the classroom for being disruptive. Understanding how this dynamic can operate can help facilitate conflict resolution, should the ombuds be invited to intervene.

Website for the Technologically Challenged

When I decided to redesign the ombuds Website, I turned to the college's Web-design team. I offered myself as the first guinea pig to be interviewed for a Web profile. The strategy was to prepare a series of audio clips with interviews of key people in the college in order to put the faces of college staff on the Website. I managed to get a nice profile and my message out in an interesting and alternative format. The interview was highlighted on the college's main Web page, included a few pictures, a couple of excerpts from the interview and a link to an audio file to listen to the full interview. (<http://www.centennialcollege.ca/contact_sheet/mrobson/>)

To design the Website, we once again started with a focus group of students to expand upon the branding work we had done previously. Responding to the student input, the creative team developed a very personal and somewhat interactive Website. Our Web designers created a blog--a software program that enables a user, such as myself, to update the Web page regularly with commentary, activities, events, and links without having to queue up for web design team.

On my Website, I have created a resource page for policies and documents I commonly refer to when exploring solutions to a particular problem with "visitors" to the office, be they in person, over the phone or by e-mail. Resources include .pdf formats of our "Dispute Resolution Policy and Procedures" which include the Academic Appeal procedure, the Code of Conduct, and other complaints procedures, as well a plain language brochures explaining the policies. These documents currently are not available anywhere else on the Web. (<http://www.centennialcollege.ca/ombuds/checkitout.htm>)

Managing the Phones

Because I am a one-person show, so to speak, I wanted to explore creating an automated attendant, or recorded messages, on my direct dial phone line so that callers who do not reach me directly can have the

option of listening to information about the ombuds' role and mandate, office hours, location, etc. I was sure that there were best practices in creating such recorded messages, so I turned into our call-center faculty for specifics. Sure enough, in a day or so I had a short synopsis of things I needed to know when creating an automated attendant. I'm still working on setting up the system.

During the last year, I also tracked the initial form of contact by case. It turns out that, in 60% of cases, the caller reached me directly either by phone (not voice mail) or by dropping into the office in person.

Future Initiatives

I've been asked by my advisory committee to conduct two surveys to evaluate the office prior to discussions on whether to renew the position. I designed relatively simple questionnaires. I am now exploring with the Call-Centre-Management program the idea of using students to conduct the survey by phone, with staff from the E-Business program having students design the survey form for the Web and creating a database to capture the results.

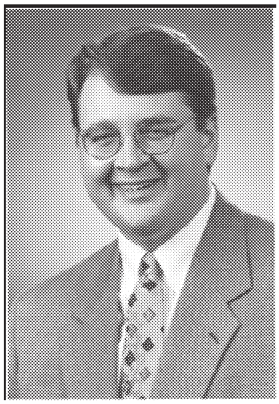
I'm also working with student services and the registrar's office to create a pilot-project experience for staff based on "A day in the life of a student." Student-service managers will have a series of scenarios to complete, such as registering for a program, applying for financial aid, writing the English or math assessment test, etc.; then they will gather together to share the experience and identify opportunities for improved service.

I've also been invited to teach a course on conflict resolution on-line. I'm still debating that offer. Would it be a conflict of interest?

So, in two short years, I've gone from newcomer seeking resources to being a resource myself. I know I've barely scratched the surface of the riches within my institution--and within myself.

Trying to Get Oil From a Waterspout: Identifying Sources of Conflict and Interests in Faculty Disputes

Lon Moeller



Lon Moeller joined the faculty of the Henry B. Tippie College of Business at the University of Iowa in July 1999. He received a B.B.A. and an M.A. in Industrial relations/Human Resources Management, as well as a J.D. from the University of Iowa.

He has been an attorney in private practice in Wisconsin and Iowa, worked for the Office of Affirmative Action at the University of Iowa, and served as System Legal Counsel for the University of Wisconsin System.

At Marquette University and at the University of Iowa College of Law, he has taught classes in general employment and labor arbitration; currently, he teaches business law, ethics, negotiations, international business, and employment/labor law courses in the Henry B. Tippie College of Business.

Professor Moeller is a labor mediator and arbitrator and provides a variety of consulting and dispute-resolution services to businesses and labor unions. In July 2001, he was appointed as University Ombudsperson.

Introduction

It is late on a Friday afternoon. This has been a long week in the university ombuds office. Budget cuts from the legislature have led to talk of staff furloughs and double-digit tuition increases. I look forward to the weekend. The clock on my desk shows 4:45 p.m.--only 15 minutes till the weekend starts--when the telephone rings. It's an upset junior faculty member, who describes her academic department as "dysfunctional"--a word I have come to dread. According to her, "No one listens in the department"; the department chair communicates only by e-mail; and the department has "no voice in the college." Getting more specific, she claims that the department chair has "ordered me" to teach two large lecture classes--with approximately 700 total students--next semester. Furthermore, only junior faculty members in the department have been assigned to teach the large lecture classes--a fact that leads her to wonder how she is supposed to do research, get tenure, raise a family, and teach 700 students at the same time.

My trained ombuds' ear immediately detects the probable core of the matter: the junior faculty member's problems don't necessarily stem from a dysfunctional department but from difficulties she seems to have with the department chair. I ask the junior faculty person what she would like me to do. She says, "I want you to help. Please talk to my chair." I advise her that I will talk to her chair only if a) she gives me

permission to do so and b) we have another follow-up conversation to walk through what she wants her chair to know.

Within minutes of that call--now well past 5:00 p.m.--the telephone rings again. The caller is the very department chair the junior faculty wanted me to talk to. He says he has "had it," and he, too, uses the word "dysfunctional" to describe a "rift between junior and senior faculty in the department." I ask the department chair to elaborate on this rift, which he does by telling me that he recently asked a junior faculty member to teach two lecture sections of 350 students each of the department's introductory courses during the upcoming semester. He has done this at the insistence of the college dean in order to accommodate a large enrollment forecast. Only junior faculty members, he asserts, have the technological skills needed to use the computers and software installed in large lecture classrooms. Why would a junior faculty member not understand his request, therefore, that she, and not a senior faculty member in the department, teach the large lecture sections next semester? Instead, she amazed him by demanding a graduate assistant to help with the class and even "asked for a reduced teaching load next year to compensate for teaching the large lecture classes." The department chair says, "I don't get these junior faculty members. Why, when I was a junior faculty member and the department chair told me to do something, I did it, no questions asked." He asks me, in closing, to "make things right." In response, I try to clarify the department chair's expectations and explain the role I might play in helping him a) to understand the sources of conflict with the junior faculty member, b) identify their interests, and c) establish a problem-solving process that might help them to resolve the conflict. I ask him, for example, whether "make things right" means to him that he would like me to talk to the junior faculty member or perhaps even facilitate a meeting with her. I try to let him know that my job is to help him to resolve conflict; I'm not simply a dry cleaning establishment, where messy problems are dropped off, processed, and returned--cleaned and pressed. I suggest that he and I meet face-to-face in order to identify and clarify the problems with the junior faculty member, as he sees them.

When I hang up the second time, it is 5:30 p.m., and I have the feeling that settling this dispute will, in the words of the country western music song, be "like trying to get oil from a waterspout." I need to relate it to larger questions that underlie nearly every academic conflict: What causes conflict between faculty members in the same academic department? What steps can ombuds take to help faculty identify sources of conflict and their interests as a means of resolving such disputes?

The first verse of John Michael Montgomery's song "Life's A Dance," contains the following lyrics:

> When I was fourteen I was falling fast for a blue eyed girl in my homeroom class. Trying to find the courage to ask her out was like trying to find oil from a waterspout. What she would have said I can't say, I never did ask and she moved away. But I learned something from my blue-eyed girl, sink or swim you got to give it a whirl. (<http://www.coquetshack.com/lyrics/Lyrics_ Lifes_ A_Dance_ 0185.htm>)

Sources of Conflict in Academic Departments

At first glance, faculty members in the same academic department may seem to have obvious and common interests: a campus identity; budgetary allocations, committee assignments, and salary-pool money usually funneled from central administration to the department; and participation in admission, hiring, and promotion decisions for the department. Why, then, are many academic departments viewed by faculty members as "unhappy places"* or even "dysfunctional"?

The literature on workplace conflict offers explanations and perhaps answers to this question. Dana (2001) defines workplace conflict as a "condition between or among workers whose jobs are interdependent, who feel angry, who perceive the other(s) as being at fault, and who act in ways that cause a business problem." The interdependency of co-workers and supervisors makes work interesting and challenging, but also, on occasion, a source of damaging personal and professional conflict of at least four kinds: 1) between two people (interpersonal); 2)

within one person (intrapersonal), involving competing ideas, values, thoughts and emotions; 3) within a small group or work team (intragroup); and 4) between groups of people (intergroup). (Lewicki, Saunders and Minton, 2003). Each of these kinds of conflict occurs in academic departments, both because of varying temperaments of faculty members and because of research and teaching interests that do not coincide. Further, visiting and non-tenure track faculty have a different focus than tenure-track and tenured faculty.

Other sources of potential interpersonal and intergroup conflict include expectations about salary, promotion, and national recognition, each of which is usually based on individual accomplishments, not the accomplishments of the academic department as a whole. Junior faculty members hired at "market rates" may be at salary levels far in excess of those for tenured faculty in the department. Junior faculty members may expect developmental leaves to do the research needed for promotion, while senior faculty tend to view developmental leaves as a function of seniority and "paying your dues" in the department.

Difficulties in juggling work demands with the needs of their families can create intrapersonal conflict for junior faculty. Intragroup conflict can arise when one academic department gets disproportionate college or university resources, based on the amount of its grant funds or private support.

Moore (1996) suggests another way of categorizing conflicts within complex organizations. Relationship conflicts, for example, involve confrontations or run-ins between faculty members or between different faculty groups within a department over matters such as hiring or promotion and tenure of colleagues. Expression of strong emotions, poor communication, or misperceptions can easily arouse conflict, as when faculty think they have too little information from the chair or from higher level administrators or when faculty think that relevant information from administrators is too often buried in mounds of paper or e-mail attachments.

Moore also cites structural conflicts. Within an academic department they may occur between faculty of varying rank (visiting, assistant, associate, or full professor); between non-administrative faculty and those with administrative appointments; or between a current chair and a former chair. Another structural conflict may result from the physical distance between faculty offices, particularly in a department whose interdisciplinary faculty members have joint appointments in other academic departments. Or access to crucial data may be a matter of structure when faculty think they have too little or too much information or differ over which information is relevant.

But one of the potentially greatest sources of departmental conflict lies in competing interests, usually marked by competition over resources. Sometimes these interests will be substantive: tangible or measurable things like money, materials, and time. Sometimes they will be psychological: perceptions of trust, fairness, desire to be heard, need to participate, self-respect, independence, or sense of community. And sometimes the interests will be procedural, centering on the manner in which decisions are made or conflicts are resolved. Specific bones of contention where interests are at stake might be dissatisfaction with annual salary increases or annual reviews; feeling left out of significant decision-making in the department over office location, travel budgets, or lab space allocation; and considering promotion and tenure decisions as "unfair."

Diagnosing Sources of Conflict in a Specific Situation

My telephone conversations with the junior faculty member and the department chair suggested five likely sources of conflict-the basis for my decisions about how to proceed. A relationship conflict appeared to have arisen because of little direct communication between the department chair and the junior faculty member. With e-mail as the chair's favored means of communication, neither feels heard or understood by the other. Both are frustrated. The department chair's comments revealed a probable value conflict: he may be accustomed to a somewhat autocratic leadership style; she expects to be involved with department decisions before they are made.

---

*Dean Stanley Fish from the University of Illinois at Chicago identified the signs of an "unhappy" academic department in "You Probably Think This Song is About You," *The Chronicle of Higher Education*, March 22, 2002, p. B20.

A data conflict apparently arose because little, if any, information had been provided to the junior faculty member about why large lecture classes must be offered and why junior faculty members were being assigned to teach these classes.

The status difference between a tenured department chair and a junior faculty member working towards tenure reflects a smaller structural conflict within a larger one: the unaccustomed institutional need to accommodate increased number of students taking certain classes, which resulted in the dean's directive that the department offer large lecture classes.

Finally, there seemed to be a multifaceted interest conflict. The junior faculty member has a procedural interest in being involved in any decision to institute larger lecture sections; she feels that interest has been violated. She also has a psychological interest in being heard by her chair, e-mails on matters so significant to her having diminished her respect for the man. Furthermore, the junior faculty member evidently views the additional teaching burden associated with large lecture classes as taking time away from her pursuit of tenure and maintenance of some degree of normalcy at home.

From the chair's psychological perspective, his calling to mind to the day when he was a junior faculty member suggests his interest in being respected for his time and status in the department. His generalized reference to the "rift between junior and senior faculty" may reflect his interest in keeping "harmony" in the department or perhaps a substantive interest in recognizing or rewarding senior faculty for their time in the department. A substantive interest also appears in the chair's statement about the need for department faculty to learn to manage the technological demands of today's classroom. He conveyed his procedural interest by his phrase "dean's insistence," which implies his own lack of involvement in deciding at the college level to push toward large lecture classes.

Understanding the different types and sources of conflict within academic departments provides a framework for the ombuds' use when faculty members are unable to identify their interests in a dispute and unable to see the importance of collaboration in their academic departments.

Steps toward Establishing Trust and Rapport

Fisher, Ury and Patton (1991) describe "interests" as "needs, desires, concerns, and fears"--basic human needs such as security, economic well-being, a sense of belonging, recognition, and control over one's life. Acknowledging that these sorts of needs are probably involved in the large-lecture-class conflict, I know that my next step must be to conduct follow-up meetings with both faculty members. I must identify any additional sources of conflict and their specific interests--their needs, desires, concerns, and fears--that must be satisfied and addressed well enough so that the junior faculty member and department chair can resolve their differences. In order to take this next step, I must develop the degree of trust and rapport with the disputants that must precede and underlie a problem-solving approach to dispute resolution.

Part of building rapport is acknowledging the intensity of feelings, showing that I understand those feelings of anger and frustration, or, at the very least, hearing them. In one-on-one meetings, I match their voice tones or tempos and mirror some of their gestures or movements, hoping to get "in sync" with their concerns. When the junior faculty member uses her hands to talk, I do the same. I calibrate my voice intensity to the chair's.

I use "why?" and "why not?" questions in one-on-one meetings to encourage these colleagues to take ownership of their opinions and to suggest changes. When they make strong emotional statements, which are often signs of deeply held interests, I explore them, anticipating a switch to more productive ways of communicating when they believe I am trying to understand their feelings. I try to convey my awareness that faculty who have not been heard, who feel unappreciated or left out, need to have a thoughtful hearing of their concerns and interests in order to connect with me.

Paraphrasing or summarizing what I hear in initial meetings is helpful, along with the "come clean question": "Is there something important known to you, but not to me, that needs to be revealed at this point?" (Adler and Silverstein, 2002) I also ask whether I may share with the other party the concerns,

sources of conflict, and interests we have discussed separately. This is part of the effort to encourage each person to recognize the other's interests-done either in additional one-on-one meetings or in a joint meeting--through role reversal. I say, "Why do you think the chair thinks that?" or "Why would the junior faculty member believe that the department lacks a voice in the college?" (Mnookin, Peppet and Tulumello 2000) Role reversal should, however, occur only after I am convinced that I have a good sense of the faculty member's interests; premature role reversal may cause the faculty member to think that I was not listening or taking sides with the department chair.

Results of Acting on Knowledge of Interests

Based on my sense of the faculty member's interests and the interests of the chair in this case, I am able to identify these elements of common ground:

- seeing that the junior faculty member obtains tenure in the department
- obtaining more graduate student support for the department from the college to help the junior faculty teach the new large lecture classes
- seeking greater faculty involvement and cooperation in the department governance
- improving the department's status and influence in the college
- training senior faculty in the use of technologies needed for classroom teaching.

The problem-solving strategies we used, based upon interests we identified, resulted in several specific points of agreement. The junior faculty was willing to tutor her senior colleagues on using the computers and software in the large lecture classrooms. She even proposed co-teaching a large lecture class with a senior faculty member. The department chair offered to ask the dean for an additional research assistant to help out with the large lecture classes and proposed to count one large lecture course as one and one-half courses of the junior faculty member's assigned teaching load, in effect giving the junior faculty member a reduced course load.

I perceived another result of our many days together: both the junior faculty member and department chair learned to analyze the sources of their conflict and to identify the interests that drove their dispute. They restored trust and used new tools of problem-solving. Is it impossible, like trying to get oil from a waterspout, to find sources of conflict and faculty interests in an academic department? No, not if an ombuds helps faculty in an academic department to identify their sources of conflict and their interests and to become convinced that using a collaborative process will help to resolve their conflicts.

References

Adler, R. & Silverstein, E.M. (Spring 2002). "When David Meets Goliath: Dealing with Power Differentials in Negotiations," Harvard Negotiation Law Review, Vol. 5 , pp. 1-112.

Dana, D. (2001). *Conflict Resolution*. New York: McGraw-Hill.

Fisher, R., Ury, W. & Patton, B. (1991). *Getting to Yes: Negotiating Agreement Without Giving In*. New York: Penguin Books.

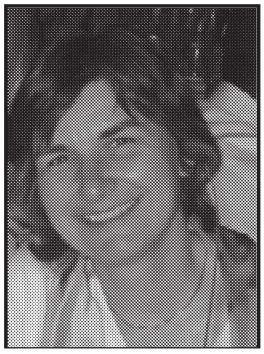
Lewicki, R.J., Saunders, D.M. & Minton, J.W. (1999). *Negotiation*. New York: McGraw-Hill.

Mnookin, R.H., Peppet, S.R., and Tulumello, A.S. (2000). *Beyond Winning: Negotiating to Create Value in Deals and Disputes*. Cambridge, Massachusetts: Belknap Press of Harvard University Press.

Moore, C.W. (1996). *The Mediation Process: Practical Strategies for Resolving Conflict*. Second Edition. San Francisco: Jossey-Bass.

University and College Ombuds Association and The Ombudsman Association Collaboration Update

Andrea Briggs and Linda Wilcox



Andrea Briggs has served as Ombudsperson at the University of California, Riverside, since 1981. She has been active in a variety of ombuds professional organizations, serving as Convenor of the California Caucus of College and University Ombuds annual training conference a number of times, and in a variety of capacities for the University and College Ombuds Association (UCOA) (including chair of Ethics Committee and member of the Standards of Practice Committee); she currently serves as UCOA President. In this year as UCOA President, she is actively pursuing closer relationships among the various organizations and ombuds.

She holds a B.A. in Religion and Psychology from Swarthmore College and an M.A. in the History of Religions from the University of Chicago Divinity School. She is married to a UCRiverside faculty member and is the mother of three children, ages 23, 20 and 16. She enjoys reading, cooking, and laughing with family and friends.

Linda Wilcox has served as Ombudsperson at Harvard Medical School, Dental School, and School of Public Health, since the office's inception in 1991. She assists Harvard faculty, staff, students, and appointees who are experiencing conflict to organize their ideas, acquire relevant information, and create options for conflict resolution. When appropriate, she mediates disputes, many of which are related to questions of authorship and attribution of credit.

She holds both a Certificate of Advanced Graduate Study and a Master's Degree in Administration, Planning, and Social Policy from the Harvard Graduate School of Education. She has completed Harvard Law School's Certificate Program on Negotiation. Prior to coming to Harvard, she was a labor negotiator for a regional school system and mediator for the Salem Mediation Program in Massachusetts. While handling matters related to authorship and ownership disputes, sexual harassment, discrimination, and negotiation styles and techniques, she divides her Harvard time between client consulting and education.

The University and College Ombuds Association (UCOA) is an international organization of 1) persons who perform the ombuds function in universities and colleges and 2) individuals affiliated with institutions of higher learning who are interested in ombuds practice. Its mission is to advance the practice of ombudsing in higher education, improve the operation of ombuds services, assist with the establishment of ombuds offices in institutions of higher education, and foster cooperation and exchange with other professional ombuds organizations in the public and private sectors and with organizations of other professionals engaged in dispute resolution (from the UCOA website and Bylaws).

The Ombudsman Association (TOA) is a professional association for practicing ombuds. The association supports and advances the practice of organizational ombuds worldwide in corporations, universities, non-profit organizations, government entities, and non-governmental organizations. TOA' s philoso-

phy, code of ethics, and standards of practice are similar to those of UCOA. Many of its academic members belong to both TOA and UCOA.

It became apparent to both organizations that they might better serve the ombuds profession and their members by speaking with one voice, reducing redundancies, and better utilizing the time academic members can contribute to a professional association. This has led TOA and UCOA to explore merging the two organizations.

At the UCOA conference in New York in April 2001, UCOA members were presented with a new initiative for developing greater organizational collaborations with TOA. The Board described their vision as a three-year exploration, including a joint conference in 2002, and with the possibility of merger as the end result. TOA discussed this possibility as well at its conference in May of the same year and agreed to a joint conference in 2002.

UCOA and TOA then appointed an Oversight Committee charged to further study and advise both boards about the range of collaborative efforts that the two organizations could consider. The Oversight Committee was comprised of TOA and UCOA members Deborah Cardillo, William King, Lewis Redding, Tom Sebok, Judi Segall, and Linda Wilcox.

In Fall 2001, UCOA undertook a major survey of members, which revealed among many other things that 72% of respondents felt that UCOA should actively pursue joint efforts with TOA. President Butch Hill wrote: "The extent of future collaborations could conceivably range from the occasional joint conference to a complete merger of the two organizations." In exploring the possibilities, Butch asserted the Board's commitment to meet the needs of UCOA members, as follows:

> The small size of UCOA was the source of much of our discussion. The organization is tightly knit, and has much the feel of an extended family. On the downside, one out of thirteen "family"members must always serve on our Board, and the jobs of newsletter editor and Webmaster rest on a particular set of shoulders too often. TOA is somewhat larger than UCOA, and has a broader mission than ours.
>
> How would we maintain our identity and focus in a merged organization? A merged organization would have more public visibility than either TOA or UCOA does now, and could have a more powerful advocacy role for our members. Member services (marketing, Web services, recruitment, training, communication, research) could be delivered more efficiently in a combined organization.
>
> TOA has a management firm to help with the considerable administrative functions of an association, most notably membership services and conference planning. This is particularly appealing to those of us who have had to do these functions on a volunteer basis. However, such services come with costs and require revenues for support; UCOA is currently a low overhead operation.
>
> Twenty-three percent of the respondents to our survey are associate members of UCOA. Any conversation with TOA would have to include the rights of those members. It appears that there is much more of a difference in status between voting and associate members in TOA than there is in UCOA.
> (e-mail: Butch Hill to UCOA members, 2/01)

In early April 2002, a point of view similar to Butch's was expressed in a joint e-mail communication from the UCOA and TOA boards to the membership of both organizations, initiated by the Oversight Committee. The two boards noted that members saw benefits in shared ethical principles, standards of practice, definition of the organizational ombuds' role, lobbying efforts, and training. Further, "some academic members expressed frustration with belonging to two organizations having overlapping interests," resulting in "their paying two dues, not having enough resources

to attend two annual conferences, and experiencing difficulty in finding the time to share their expertise and knowledge with two different but similar entities." (e-mail UCOA and TOA boards to UCOA and TOA membership, 4/02.)

At the May 2002 joint UCOA/TOA conference in Arlington, Virginia, the Oversight Committee's progress was presented, and feedback was sought. The committee asked conference participants to assess commonalities of and differences between the two organizations as a way to learn more about each other and to gain more information and insight from the membership to help craft next steps for the boards.

As a next step, John Barkat, President of TOA, encouraged the Oversight Committee to find out about members' interest in future joint conferences. With the boards' encouragement, the Oversight Committee sent a questionnaire to all the members, inquiring about their interest in future collaborations, specifically their interest in future joint conferences. Eighty-one percent of the one hundred and thirty-four respondents from both associations affirmed their desire to have another joint conference as soon as was feasible.

During Summer and Fall 2002, the two boards discussed various ways to proceed. In November 2002, the UCOA Board undertook a major organizational self-assessment as a basis for considering what kind of partnering with TOA would be best for UCOA and its members, including merging as one of the possibilities. The board reviewed and updated what it believed UCOA should try to accomplish in the next few years (2002-04 Strategic Plan), identified the organizational values that inform its decision making, studied materials on organizational collaborations from the National Center for Nonprofit Boards (NCNB) (Piana, 2000), and debated what UCOA and UCOA members could stand to gain from merging with any other organization.

As a result, the UCOA Board proposed to TOA a six-member inquiry team (three members from UCOA and three from TOA to be named by the boards) to "have the charge of exploring different models of partnering--federations, merger, joint venture, etc.--and their feasibility, identifying underlying interests and concerns of both groups, and bringing back reports to both boards for further consideration, prior to the annual meetings in April and May 2003." (e-mail Jan Schonauer, UCOA President, to John Barkat, TOA President, 11/15/02.)

TOA accepted this proposal, and the Inquiry Group, comprised of Judi Segall, Wendy Friede and Howard Gadlin from TOA, and Jan Schonauer, Eleanor Funk, and Andrea Briggs from UCOA, with Linda Wilcox as facilitator, began meeting weekly by conference call in January 2003. Group members reviewed documentation indicating the interests and concerns of members, studied materials from NCNB (Piana, 2000), reviewed the financial status of the two organizations, and identified other related organizations that have pursued mergers, whose experiences might be a further resource. Finally the Inquiry Group produced a unanimously supported report to the UCOA and TOA Boards on April 4, 2003.

Members of the two organizations, from the two Boards and the Inquiry Group, put a great deal of effort into understanding the purpose and process of merging two organizations. They learned that mergers require a change of corporate structure and that leaders yield some autonomy and independence. They require that the organization's leadership keep in mind responsibility to the mission as more important than organizational self-preservation. In other words, in order to consider that merging might provide benefits, UCOA leaders would have to look at what would best promote ombuds practice in universities and colleges worldwide--not narrowly at what would promote UCOA. In the same way, TOA's board realized that to support and advance the practice of organizational ombudspersons, they would also need to be willing to change.

Both boards and the Inquiry Group learned that mergers are entered into, among other reasons, for the purposes of being in a better position to advance the organizational mission, to obtain improved quality of service, and to eliminate duplication of effort, wasted resources, and unnecessary competition for limited human capital. They rarely result in reduction of costs in the short term. Merging is considered mainly when the level of integration sought by the potential partners cannot be achieved through a lesser means.

Successful mergers, they learned, occur when the two organizations are focused on mission, when they have a high degree of flexibility and can embrace

change, when there is an effective leadership fully in support of merging, and when they desire to grow in order to deliver more and better services. They all knew that they would be making a concerted effort to be open to the ideas that would come from the exploration of how a merger might look.

Closely following the recommendations of the Inquiry Group, on April 8, 2003, the UCOA Board passed the following resolution:

> To support the next stage of analysis and planning that potentially will result in merging [with TOA], the Board wishes to establish a process and commit resources to research and analyze those issues that need to be resolved before a merger is possible.

This decision by the Board was presented at the April 2003 conference in Denver for discussion and member feedback.

In May 2003, at its meeting prior to the TOA Annual Meeting in Orlando, Florida, the TOA Board also voted unanimous support for this effort. They agreed in principle to continuing the process of merger-transition with UCOA. They noted that the next phase of this process would require greater member participation and "buy-in" as both organizations moved forward in a comprehensive, good faith exploration of all the collaborative options. They likewise presented the information to their members at their annual meeting for input, discussion, and support.

The Inquiry Group, having completed its assignment, was transformed into the Transition Oversight Committee (TOC), and member Andrea Briggs was replaced by Mary Chavez Rudolph. Since May, TOC has set up seven working groups, with their members, charges, and timelines as recommended by the Inquiry Group:

- By-laws Team: Review existing and determine what is needed for one set of by-laws.
- Finance Team: Review existing philosophies and guidelines and develop a new structure for accounting and budgeting.
- Board Structure Team: Consider issues of size, roles, sectors, etc.
- Membership Team: Consider types of members, fee structures, benefits, and roles.
- Training Team: Develop a joint professional development strategy and training plan.
- Communications Team: Develop and execute a plan to keep both organizations informed on progress and a plan to communicate to the outside world regarding a merger.
- Legal Issues Team: Analyze options and make recommendations on how best legally to become one entity.

TOC asked for volunteers from UCOA and TOA to join together on these committees to study the issues and brainstorm possibilities. The working committees are beginning their work in earnest this fall and will issue periodic reports on their progress to TOC, the boards, and the members of each association. In the spring the Transition Oversight Committee will summarize for the boards the work of the committees, including their own, and make a recommendation to the boards on how to proceed.

TOA and UCOA will again hold a joint conference, in Tucson, Arizona, hosted by Claudia D'Albini, University of Arizona, April 18 through April 21, 2004. At the conference, TOC and the working committees will report on their findings and suggestions. Attendees will be given the opportunity to hear about and respond to all the issues.

This is an exciting and challenging time for UCOA and TOA members and their leaders. In addition, what develops with UCOA and TOA could impact organizational ombuds who are not members of either organization. The TOC and both boards welcome inquiries and input from member and non-member ombuds regarding how the organizations can best serve the interests of all ombuds, as this process moves forward.

Reference

La Piana, D. (2000). *The nonprofit mergers workbook: The leader's guide to considering, negotiating, and executing a merger.* Saint Paul, Minnesota: Amherst H. Wilder Foundation.

To contact UCOA or TOA Board members, please refer to <http://www.ucoa.org/board_ prospective.html> or <http://www.ombuds-toa. org/board_of_directors.htm>

The Ombudsman Association
Mission Statement

The Ombudsman Association is an inclusive, professional association for practicing ombuds worldwide and those using ombuds skills in their work. The Association's mission is to work to: advance understanding of the profession by communicating TOA's Code of Ethics and Standards of Practice; support the development of new and practicing ombudspeople through training, the sharing of best practices, and the creating of next practices; promote and grow the profession through leadership, networking, partnering, and advocacy.

University and College Ombuds Association
Mission Statement

UCOA's mission is to enhance and advance the practice of ombudsing in higher education; to assist existing university and college ombuds professionals and organizations to improve the operation of ombuds services; to promote, consult on, and assist with the establishment of ombuds offices in institutions of higher education; and to foster cooperation and exchange with other professional ombuds organizations in the public and private sectors and with organizations of other professionals engaged in dispute resolution.

Book Review: *Bridging Troubled Waters: Conflict Resolution from the Heart*

Katherine K. Ziff

Katherine Ziff is Assistant Ombuds at Ohio University. A former school counselor in Ohio and North Carolina, she is completing a doctorate in counselor education at Ohio University. Her dissertation is a qualitative study of the early history of the Athens Lunatic Asylum and its connections with the community. She also has a master's degree in urban affairs and public policy from Virginia Tech. Other areas of research include the arts as an adjunct to counseling, wellness, and historiography.

Bridging Troubled Waters: Conflict Resolution from the Heart by Michelle LeBaron (2002). San Francisco: Jossey-Bass. 320 pages. ISBN 0-7879-4821-7.

Michelle LeBaron has spent more than twenty years engaging in and teaching conflict resolution. Trained in both law and counseling psychology, LeBaron is now a faculty member at the Institute for Conflict Analysis and Resolution at George Mason University in Virginia. *Bridging Troubled Waters* takes us to her current work of developing a creative, relational approach to bridging differences among people. LeBaron asks us to reach beyond the standard tools of conflict resolution that enable us as facilitators to uncover interests and help people improve communication; she would have us work creatively to build relationships that engage emotion, imagination, the body, and spirituality. The book is a both rationale and a tool book that draws on conflict-resolution practice, stories, multiple-intelligences theory, eastern philosophy, and psychological theory and practice.

In Part One she argues that current practice approaches conflict resolution with a fairly narrow band of somewhat mechanical methods. In order to move beyond such mechanics, she stresses the importance of taking the time to form relationships by being creative, listening to and telling stories, and engaging metaphor and shared experience. Using the metaphor of travel over mountains, she outlines principles for a creative, relationship-based approach to conflict, such as holism, relationship as a resource, welcoming surprises, practicing what we preach, and transcending limitations. With regard to encouraging creativity, LeBaron presents the ideas of existentialist psychologist Rollo May: to listen with the body, have the moral courage to align oneself against violence, take the time to relate to others with intimacy and authenticity, and remain open to change and other perspectives.

Part Two of *Bridging Troubled Waters* presents creative ways of knowing or listening through emotions, the body, imagination, and connection. Por-

traying emotional knowing as an intelligence, she asks readers to examine their own feelings about and comfort with intense emotional expression. Gender and culture intersect with emotional expression, and this section provides lists of questions and exercises to invite discussion and understanding of these two perspectives. She also offers for those engaged in conflict resolution tips on enhancing our own emotional intelligence. Somatic intelligence, or engaging the physical self in conflict resolution, is another way to creatively build relationships--not by arm-wrestling or physical restraint, though she does use an arm-wrestling example. Rather, LeBaron challenges our conventional wisdom on arranging space and seating for conflict resolution, for example, by separating disputants and giving no opportunity for eye contact; this configuration can sometimes be an advantage. She encourages us to listen to the feelings in our bodies and provides somatic strategies for making us better third parties in conflict resolution.

In a chapter on developing imaginative and intuitive ways of working with conflict resolution, LeBaron touches upon powerful tools: the capacity to imagine and visualize a better future, enhancing our intuition, and developing our capacity for empathy.

In Chapter Five, one might begin to feel a little overloaded with the features and attributes of "connected" ways of knowing--spiraling, informing, inspiring, surprising, changing, being mindful, and so forth. Several moving examples of connection help--such as one from a Japanese and American encounter about removing shoes upon entering a house and another about a flight crew's instructions to a planeload of passengers on staying connected in order to thwart hijacking.

Part Three is a presentation of three tools for bridging differences among people: metaphor, stories, and ritual. Describing each tool, she illustrates with examples, presents limitations and cautions, and offers practical ways for use in conflict resolution. Given her training in counseling psychology, she no doubt knows how to help people get in touch with deeply seated emotions. I was glad to see that her examples were tempered with care about their use.

The final part contains a valuable presentation of roles and practices for third parties in conflict, reminding us to attend to reflection--both self and collaborative--and notes the value of journaling as a tool for doing it. She suggests ways to care for ourselves during times of working with conflict and encourages us to consider movement and exercise, debriefing, and taking time for mental, emotional, and physical regeneration. Finally, she reminds us that, as conflict-resolution professionals, we often neglect to celebrate our successes. To remedy that neglect, she suggests ways to create portfolios of our work that convey its breadth and richness and suggests that we share these portfolios with others in our field to help us increase our competence and mark our learning.

The book is a worthy guide to expanding third-party conflict-resolution practice with an experiential, relational focus and contains many ideas for self-development and self-care. It need not even be read linearly; a good way to read it is to dip in, pencil in hand, marking places that might be most immediately useful in one's practice.

Dear Colleagues:

You are invited to submit an article (or articles) for publication in this journal. Ombuds in business, governmental agencies, industry, private practice, academia, and other work environments are encouraged to respond to this request. We desire to have the broadest representation of articles from authors that we can attract. Through the written word we are able to preserve your ideas and contributions for future ombuds to read.

The Journal Seeks Manuscripts

The Journal of the California Caucus of College and University Ombuds, published annually, features articles that promote, advance, and celebrate the field of ombudsing. To that end, the editors encourage writers to submit articles that focus on any aspect of ombudsing: practice, research, education, legislation, or management.

Prospective writers who may have doubts or hesitations about their contributions are welcome to seek consultation and assistance from the editors or any member of the editorial board. Such help can be available at any stage of writing--from initial concept to late stages of editing. A telephone call or e-mail is all that is needed to initiate a cooperative writing process.

Manuscript Preparation

One electronic copy of a manuscript should be submitted--double-spaced with one-inch margins. Maximum length is 20 pages, including tables, figures, notes, and references.

In this journal the American Psychological Association (APA) format is used. A good description of it is available at <http://owl. english.purdie.edu/handouts/research/r_apa. html>.

The title page should bear the name(s) of the contributor(s), along with institutional affiliation of the writer(s), institutional title, mailing address, voicemail and fax numbers, and e-mail address.

An abstract of 100 words or less should accompany all articles.

Note: CCCUO has adopted the term *ombuds* (in lower case) rather than *ombudsman* or *ombudsperson,* except where the two latter terms are part of any institutional title.

Art Work

All tables, figures, photographs, and graphics should be submitted on computer disk, together with camera-ready copy for each graphic item.

Copyright Transmittal

A letter of copyright transmittal should accompany each manuscript, including the following statement: *I hereby transfer, assign, or otherwise convey all copyright ownership to CCCUO. This transferal relates to all forms of publication, including electronic media.*

The writer should also state: *To my knowledge this manuscript contains nothing that is libelous or unlawful or that infringes upon rights under U.S. Copyright law.*

Permissions

It is the responsibility of the writer to obtain appropriate permissions from individuals, institutions, and organizations to use any private communication or other reports, documents, and policy statements cited in the manuscript.

Peer review

All manuscripts will be reviewed by at least two editorial board members. Reviewers may recommend acceptance, rejection (with reasons given), revision (with specific suggestions), or resubmission. Recommendations in writing will be sent to each writer.

To assure a blind-review process, writers should omit any personal identification on every page except the title page.

Manuscripts may be edited for clarity, stylistic consistency, and format. The edited manuscript will be returned before publication, if time allows, for the writer's concurrence.

A writer who wishes to submit a manuscript on a computer disk should first check with the co-editor to determine its usability in the review and editing process.

Book-review Guidelines

The editors welcome reviews of recent books relating to the practice of ombudsing, with particular application to institutions of higher education. Books that deal primarily with ombudsing in other types of organizations may occasionally be suitable; a query to the co-editor in advance of undertaking the review of such a book is recommended. The following guidelines apply to all reviews:

1. Stay within a maximum of 1500 words.
2. Orient the reader to the thesis or major purpose of the book.
3. Adopt an argumentative and evaluative stance near the beginning of the review and make that stance a thread throughout the review.

Submission of Manuscripts and Inquiries

For further information about manuscript submission or to seek assistance in writing, call or write one of the co-editors:

Lois Price Spratlen
Co-editor, *The Journal*
Ombudsman's Office
301 HUB, Box 352238
University of Washington
Seattle WA 98195-2238

Ron Wilson
Co-editor, *The Journal*
OEOD
524 Administration Bldg.
University of California Irvine
Irvine CA 92697-1125

Revised 8/17/00
California Caucus of College
and University Ombuds